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The Department of State BULLETIN, a weekly publication issued by the Public Services Division, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes selected press releases on foreign policy, issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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United States Foreign Policy and the Situation in Europe

by Julius C. Holmes
Special Assistant to the Secretary[1]

I am grateful for the opportunity to speak to you this evening on "United States Foreign Policy and the Situation in Europe." May I say that this is a large order. It is large because all or virtually all of American foreign policy is influenced in some way by what happens in Europe. We cannot escape the fact that the Soviet Union is a European as well as an Asiatic power and that the actions of the Soviet Union have a major influence on nearly all of our policies. I want to confine my remarks tonight, however, to the developments directly connected with the European scene.

I like to compare the situation in Europe since the end of World War II with the two sides of a balance scale. I see one side filled by the efforts of the Soviet Union to spread its domination wherever it can—particularly Western Europe—and the other side holding the programs and policies of the free nations aimed at preventing this spread and securing a peace that will endure. To keep the world scale tipped in favor of freedom and justice is the unceasing job of our foreign policy guided by our President, carried out by our Secretary of State, guarded by you—our military—and administered by our career Foreign Service.

In order to understand this postwar world it is necessary to see how these two forces developed in opposition to each other; so I want to review this development with you tonight. We who deal daily with foreign affairs are always in danger of the occupational disease of the specialist—that is, taking too much for granted the broad principles upon which our work is based. We often tend to talk only about the *current* problems or the *specialized* issues, giving forth a kind of verbal shorthand about WEU, OEEC, OAS, UNESCO, SCUA, ICA, USIA, CIA, and RIAS, to the point where even a well-informed listener is depressed, if not confused.

So tonight, as I review before the USN the foreign problems of the U.S.A., I shall endeavor to take things step by step and to use unabbreviated English wherever possible.

Europe at the End of World War II

With the Europe of today a relatively prosperous and stable area of the globe, it is difficult to recall conditions of barely more than a decade ago. The end of World War II was accompanied by a deep Soviet penetration into the heart of Europe. In considerable measure as a result of our support of its war effort, the Soviet Union was in a position to move forces into Eastern Europe following the defeat of the German Army. The vacuum was filled with troops and guns and with political regimes under Soviet control.

A control of that area had long been a Russian ambition. What formerly served as "buffer states" were now helpless satellites in Soviet hands. Russian control of the Black Sea was complete, with the exception of the Turkish coast and the Dardanelles. Through its domination of Eastern Europe, Russia also gained the rich uranium mines of Hungary, Czechoslovakia, and Eastern Germany, and the steel and coal resources of Poland.

With the Soviet Union now in control of the land mass from Vladivostok to the middle of

[1] Address made before midshipmen of the first class, U.S. Naval Academy, Annapolis, Md., on Feb. 6.

Germany, Western Europe was meanwhile in the grip of the poverty and the economic ruin which followed the end of the war. This gave an opportunity for the Communist parties in those countries to make extravagant promises of a better way of life. The power of communism was bolstered greatly by the fact that, by suppressing the Communist movement, the Nazis had forced it into resistance, into the underground, and had therefore put it into position where it was able to assume a role of leadership in the emerging postwar world. This was particularly true in France and in Italy, and to a lesser extent in some of the other countries of Western Europe. It must have looked from the Kremlin in 1945 as though the empire of the Soviets would soon extend from the Pacific to the Atlantic.

There was only one means by which further Soviet aggression could be prevented: by the power of the United States. We can be proud that we recognized that challenge and met it.

Meeting the Challenge of Soviet Aggression

Let me recall to your minds events as they occurred.

There was first our aid to Greece and Turkey. With our help, Turkey's hold on the Dardanelles remained secure and the Communist rebellion in Greece, domestically led but inspired and supported from outside, was ended.

Next was the Marshall plan. By helping Western Europe to help itself, we shared in the restoration of morale and self-confidence there and thus helped eradicate the conditions in which communism could flourish.

The Organization for European Economic Cooperation was proposed as an adjunct to the Marshall plan. It has provided continuity for European economic cooperation. Other forms of European integration followed. The result of all this was economic stability, which by its very nature created a climate for political stability.

It was at this point that the Communists began to see that the political and economic conquest of Western Europe might not materialize. So the Russians began to use military threat. This was in great measure responsible for the success of the coup in Czechoslovakia. Next came the blockade which directly challenged the presence of the Western powers in Berlin. The airlift was one of the highest accomplishments of our military, because through it we were able to meet political challenge without actual warfare.

The possibility of Soviet military attack presented a new danger to the peoples of Western Europe. Although they were still weary from the war, they nevertheless faced the new danger. Five European countries joined in an alliance which became known as Western Union. It bound together Britain, France, and the Benelux countries, with the pledge to come to each other's defense should any of them be attacked.

North Atlantic Treaty Organization

In 1948 the Soviet threat against Western Europe was so steady and strong that opinion in the United States began to recognize the ultimate threat to our own security and the need for American aid. The United States Senate, which had rejected any involvement of the United States in the League of Nations in 1919, now passed by overwhelming vote the Vandenberg Resolution urging the President to negotiate regional arrangements for collective self-defense.

A military alliance in peacetime was something in which the United States had never before participated outside the Western Hemisphere. As a result of the negotiations that followed, the North Atlantic Treaty was signed, a treaty which goes as far as we can constitutionally go in promising the support of our armed forces in the event of an attack on our allies. This was a most significant turning point in American history. The American people had accepted the challenge of world leadership. They had agreed to fight, if necessary, to defend the free world against those determined to destroy it. The North Atlantic Treaty Organization—NATO—is the final step which separates us from our past, when we were secured by two oceans, and leads us into the atomic age, when no nation, alone, can assure its survival.

In 1949, when the NATO treaty was signed, it was merely a pledge, a pledge which would not result in action except in the case of attack. But again communism challenged, and again the West responded. With the attack in Korea it became obvious that NATO needed bone and sinew, that a defense organization *in being* was needed in Western Europe. Such an organization was created through the establishment of the Supreme Allied Commands and through the program of arming

in which we have since been engaged with our NATO partners.

By their attack on Korea the Soviets indirectly sharpened a reappraisal of policy toward Germany.

Rearming of Germany

By the time of the Korean war, Germany was again playing a particularly important role in Europe. Any analysis of the European situation must deal with Germany in some detail. In 1945, after Germany had been defeated, the Western powers were determined that Germany would never again rearm. We meant it, although there were even then those who predicted that the time would come when we would change our minds. In 1950, when Soviet-trained Communists attacked South Korea, the parallel with Germany was too close for comfort. In Korea there had been a well-trained Communist army in the north attacking an undefended country in the south; in Germany a Communist police force, backed by overwhelming Russian forces, stood poised on the borders of a Federal Republic which had no forces of its own with which to defend itself.

It might be argued that we could have avoided the decision to rearm Germany by one of two methods: the occupying powers themselves could have taken on the defense for an indefinite period, or we could have left Germany undefended.

Neither alternative was or is feasible. It would be unthinkable that Americans, Frenchmen, and Englishmen might die on German soil while Germans were prevented from the defense of their homeland. Similarly, it must be clear from the point of view of elementary strategy that a country of 50 million people, nearly 200 miles in width and with tremendous industrial and natural resources, presented a prize whose possession would materially alter the balance of power and whose loss could not be permitted by default.

You will recall that German rearmament was to be brought about within the European Defense Community, under which Germany would have no army of its own; there would only be a European Army, in which the French and German soldiers would wear the same uniform. But time had not yet healed the wounds that the wars had inflicted; France could not accept such an arrangement, and Germany had to be rearmed without the concept of a European Army. Germany was brought directly into NATO as a full member and as a full participant in the defensive structure of the West. By 1960, according to present plans, Germany will be contributing 500,000 men to NATO defense forces. The people of West Germany threw their lot with the free nations of the West, and these countries wished to help the Germans build up their own strength.

U.S. Proposal for European Security System

Before we could give effect to this decision, however, it was necessary to convince ourselves, to convince the Germans, and to convince the French that there was no other way of meeting the Soviet challenge.

In January 1954, for the first time in over 5 years, we decided that we should sit down with the Russians and see whether the situation had changed. There was some reason to hope that it might have changed. Stalin had died, and some relaxation of positions had taken place. There was a chance that, with a new approach from here, there might be a new approach from there. In order to test the possibility of a new approach, we submitted a proposal for a European security system under which the Soviet Union would be protected against the possibility of a German attack, which it claimed to fear so much. In return for this we asked that free elections be held in all four zones of Germany so that the country might be united and given the opportunity to choose its own foreign policy and its own alliances. We believed that a repetition of the "dictated peace" of Versailles, which limited Germany's freedom to conduct its own foreign policy, would tend to stimulate revisionism and therefore be contrary to the interests of all concerned, including the Soviet Union.

The Soviets refused to agree to any such plan. They rejected our plans out of hand at Berlin; they rejected them again at Geneva. If this was not clear at the so-called "summit conference" in July 1955, it became strikingly clear at the second Geneva conference in October of that year. It became obvious that the Soviet position had not changed. The peaceful smile did make its short appearance, but even the outward smile vanished with the Hungarian tragedy this fall.

Soviet tactics can and do change from time to time, but Soviet armed might and ultimate objectives have remained unchanged. Recent

events in Eastern Europe, particularly the events in Hungary, show that the Soviet Union will not hesitate to use force or the threat of force as it has in the past. This fact makes it essential that the effective military shield of the North Atlantic alliance be maintained and its capabilities constantly adapted to changing circumstances.

The Soviet Union has been challenged—challenged in its further expansion and challenged in its efforts at political control through the Communist parties in the West. In its sphere of influence, which it thought forever secure, it has been challenged by the independence of Yugoslavia and the moves in that direction on the part of the new Polish regime. But below these surface occurrences, tensions in the Eastern European satellites have been mounting—tensions of which the rebellion in Hungary was the most violent example.

We in the West have strengthened our economies, stabilized our international political system, and built a defensive shield of visible strength, and plans are now maturing toward the greater unity and strength of Western Europe through the formation of EURATOM and a common market. The countries of the Western alliance have determined to maintain and safeguard their democratic institutions and have recognized that to do so they must achieve close cooperation in every field. I do not think that a few years ago many would have agreed to a paragraph in the report of the NATO "Three Wise Men" [2] recently issued which reads as follows:

> The fundamental historical fact . . . is that the nation state, by itself and relying exclusively on national policy and national power, is inadequate for progress or even for survival in the nuclear age.

That recognition shapes American policy. It has caused this country to join the North Atlantic alliance. It has caused us to strengthen our allies in Western Europe both economically and militarily at great cost to ourselves.

Let me say also that we have had our own tensions. The recent crisis in the Eastern Mediterranean caused a great many people to say that our alliance was falling apart. It did not. We had become accustomed to work together in the common interest every day in the North Atlantic Council, and during the Suez crisis we continued to do that.

[2] BULLETIN of Jan. 7, 1957, p. 18.

Need for More Effective Consultation in NATO

One of the lessons that we have learned recently is the need for much more effective and continuing consultation in NATO on foreign policies. I do not suggest that effective consultation of this kind will rule out all possibility of divergent policies any more than it rules out the necessity of any government acting on its own quickly and effectively in a genuine emergency. There will always be some differences of national approach to particular problems in a coalition such as NATO, and there will always be domestic considerations impinging on the requirements for consultation with allies. But if we are to preserve freedom, if we are to preserve the North Atlantic alliance, we cannot afford to let such differences of approach lead to deep divisions of policy on important matters affecting the Atlantic Community. The process of acquiring the habit of consultation is a slow one, a gradual one at best, probably slower than we might wish. We can be well satisfied, however, if it is steady and sure.

I should like to say just one more thing on this subject. A sound foreign policy depends more than anything else on our vigilance—not only vigilance against the possibility of a more active threat but also constructive vigilance for the possibility of any advance toward a more peaceful world. We must be willing to analyze every opportunity, be willing to test and test again, to see if we cannot arrive at a situation where the scales might permanently tip the balance in favor of peace and freedom, not only for ourselves but for all men.

The spirit in which we approach this task was most eloquently expressed by President Eisenhower in his second inaugural address: [3] "Our world," he said, "is where our full destiny lies—with men, of all peoples and all nations, who are or would be free."

"We voice our hope and our belief," the President went on, "that we can help to heal this divided world. Thus may the nations cease to live in trembling before the menace of force. Thus may the weight of fear and the weight of arms be taken from the burdened shoulders of mankind."

"This, nothing less," he concluded, "is the labor to which we are called and our strength dedicated."

[3] *Ibid.*, Feb. 11, 1957, p. 211.

Anniversary of Independence of Baltic Republics

Statement by Secretary Dulles

Press release 69 dated February 15

Thirty-nine years ago the peoples of Lithuania, Latvia, and Estonia declared their independence from Russia. The Soviet Union recognized their independence and established diplomatic relations with them. In the years that followed, the Baltic peoples demonstrated their capacity for self-government and their will to maintain their national independence.

Though the Soviet Government forcibly incorporated these three states—all independent members of the League of Nations—into the Soviet Union in 1940, there is ample evidence that the peoples of the Baltic Republics still desire their freedom from foreign rule. The strenuous efforts of the Soviet regime to seal off the peoples of the Baltic states from contact with the free world have not succeeded in hiding this fact.

On the anniversaries of their national independence, we honor their continuing courageous determination to regain the national rights of which they have been so cruelly and unjustly deprived.

Keeping the Peace

Remarks by Walter F. George
Special Assistant to the President [1]

Now and again scholars debate whether events are the creations of men or men the creatures of events. I do not know the answer to the question, and I, therefore, do not undertake to answer it. I merely wish to say that I am moved to suggest on this occasion that perhaps it is the times that you honor rather than the man. Those who are fortunate enough to come for a brief moment toward the light of history certainly are aware that they cannot control events or shape them; at best, they are conscious of the fact that, by the help of God, events can be controlled only by the good men and women of all free lands. I am duly appreciative of this high honor, but again I suggest that it is perhaps the events of the time in which we live that you should emphasize rather than the poor contribution of individuals who happen for the moment to occupy the scenes of activity.

If honor is due any man in the great effort to preserve peace, it is due to many men—many men, not only in our land but in all free lands. Certainly, if there is any one man who in our time has endeavored to fortify the interests of peace—to preserve it—I am sure that all members of this great organization and your guests of this evening will agree that that man is our own President, Dwight D. Eisenhower. By his side has stood, with tireless energy, his Secretary of State, John Foster Dulles, who has the complete confidence of the President himself.

The Larger Freedom

The problem of keeping peace in the world is certainly one of the most difficult of human arts. That is evidenced by the fact that the historians say that for some 36 centuries of recorded time the world has known only 300 years of uninterrupted peace. That fact is evidenced, again and again, due undoubtedly to the basic and underlying fact that, after all, peace is not the dearest possession of men. There are things that are stronger than life itself; and from the first in *our* Nation, we early learned from one of our own American voices that life was not so dear, that peace was not so sweet, as to be purchased at the price of chains and slavery. And so it is that men have rejected the passive peace which brought some sense of security for the larger freedom for which men strive.

In the most effective and significant inaugural address of the President in this good year, we were reminded that Budapest has ceased to be the name of a city—it has become the symbol for that freedom for which men and women strive and which in every free land is above the price of what men call success, or competency, or mere security. The job of keeping peace is made doubly hard because so much of the world is in the hands of a relatively few men—and those relatively few men at the head of the government are men who do not practice the faith of free men in moral law. But they are dominated by a kind of pagan philosophy which we in the modern world know as communism. And so it is that the job of keeping

[1] Made before the Veterans of Foreign Wars at Washington, D.C., on Feb. 6, on the occasion of Mr. George's acceptance of the organization's Gold Medal Citizenship Award.

the peace of the world is the most difficult job committed to men; that is, if one recognizes peace as the peace of justice which Edmund Burke conceived as the standing policy of all civilized states, and if one believes that moral law is yet a force in the affairs of mankind.

If we are to keep the peace, we must preserve and strengthen the defenses that guard it. The vital link in these defenses is the NATO organization, which has come to be the shield of free men in Western Europe and also, may I say with deep conviction, the shield of the United States of America as well.

Another essential for the guarding of the peace is, in my judgment, the approval by the Congress of the President's Middle Eastern proposal. Whatever may be the powers of the President under the Constitution, certain it is that the Congress' and the President's standing together would present a greater deterrent to Soviet aggression and would assuredly give a higher degree of confidence to those who are about to become the victims of aggression all around the world.

Making Our Policy Clear

In maintaining our previous defenses against aggression, in creating new ones, it is imperative that we make clear to all that, while we cherish our friendship with nations that have freedom or now seek it, we would, as the President has said, no more seek to buy their sovereignty than we would to sell our own. We must also make it plain that, while we honor the aspirations of those captive nations which hunger to be free, we do not seek military alliances with them nor to remake their society in the shape of our society. We must make it clear, I think, to the world that we do not reject the proffered hand of sincere friendship—of honorable friendship—merely because the nation offering such friendship is not itself in strict conformity with our own ideals and our own declarations as a people. We must also make it plain that, while we honor the aspirations of these captive nations who are no longer free, we do not propose to make them over in the image of anyone. We must, finally, make it unmistakably evident that, so long as the Soviets do not first resort to aggression, the Soviet Union and the Russian people have nothing whatsoever to fear from the United States in any part of the world.

On this occasion, and touched as I am by the great honor which you have bestowed upon me, I might speak of many things which have brought us thus far to the point where we are as a nation tonight. But no one can tell you what the future is to bring forth. I have the fervent belief which has been traveling with me toward a higher and higher degree of certainty that, if in our time we can meet the duties and responsibilities which are presented to us, then that Power which is *in* men, but not *of* men, but which is definitely *above* men, and which shapes matters having to do with the destinies of men and women, will see that all will be well with us. Certain it is that in no other way can we of this present day and of this present time pay our obligation to those who have sacrificed for us on the fields of battle around this earth; and certain it is that by meeting our obligations and our duties alone can we keep faith with the living men and women who earnestly desire peace—just, honorable peace.

And so again, thanking you for your special award tonight, I bid you Godspeed, back in your respective homes and communities—whether they be great cities or crossroads in our country—to give support to those enduring principles which have brought us thus far on the road that we have traveled as a people. Assuredly, there will be nothing to fear if we rise to that high responsibility which inspired a public servant from my own State many years ago to boldly declare that "He who saves his country, saves all things; and all things saved, will bless him. He who lets his country die, lets all things die, dies himself ignobly, and all things dying curse him."

U.S. Delegation to Ghana Independence Ceremonies

The Department of State announced on February 14 (press release 68) the appointment of the U.S. delegation to accompany Vice President Nixon to the ceremonies marking the independence of Ghana (now the Gold Coast). The Vice President, who will head the delegation, will be accompanied by Mrs. Nixon. The independence ceremonies will take place at Accra from March 3 to 10, 1957.

Members of the U.S. delegation are as follows:

Frances P. Bolton, House of Representatives
Charles C. Diggs, House of Representatives
Walter A. Gordon, Governor of the Virgin Islands
Mason Sears, U.S. Representative on the U.N. Trusteeship Council

Donald W. Lamm, U.S. Consul General at Accra, will serve as adviser to the official delegation.

Dominican Republic Documents on Disappearance of U.S. Citizen

Press release 66 dated February 14

On December 31, 1956, and January 16, 1957, the American Embassy at Ciudad Trujillo requested of the Dominican Government the evidence developed by the Dominican authorities in the investigation of the disappearance of Gerald Lester Murphy, a U.S. citizen, on December 3, 1956, in the Dominican Republic.[1]

The State Department has now received from our Embassy evidence gathered by the Dominican Government. The U.S. Government is studying this evidence with a view to determining what further steps will be taken in connection with the disappearance of Mr. Murphy.

Twenty-seven Countries Invited to International Naval Review

Press release 64 dated February 12

The Department of State announced on February 12 that it had forwarded on behalf of the U.S. Navy, the Virginia 350th Anniversary Commission, and the port communities of Hampton, Newport News, Norfolk, Portsmouth, Virginia Beach, and Warwick invitations to 27 countries to attend an International Naval Review at Hampton Roads, Va., June 8–17, 1957.

In 1957 the Federal Government and the Commonwealth of Virginia will join in an 8-month celebration of the 350th anniversary of the beginning of the American Colonies from which this Nation grew. This celebration will be known as the Jamestown Festival of 1957. It will begin on April 1 at Jamestown, the site of the original settlement. The International Naval Review at Hampton Roads has been planned as part of the anniversary celebration.

The Virginia 350th Anniversary Commission has chosen as a theme for this review "Freedom of the Seas," because the founding of the Jamestown Colony marked the beginning of the flow of people and their culture across the Atlantic.

The Commander in Chief of the U.S. Atlantic Fleet has been designated the U.S. Navy representative to this International Review and as such will be responsible for all arrangements in this connection. Invitations to participate in the International Naval Review have been extended to those European countries having fleets which participated in the development of the Western Hemisphere; to all countries in the Western Hemisphere maintaining fleets; and to those countries in the North Atlantic Treaty Organization that have fleets.

During the period June 8–17, 1957, the Committee for the International Naval Review has planned commemorative ceremonies and entertainment to be held in the Hampton Roads area. Included in the planned entertainment will be trips for the participating naval personnel in the Jamestown-Williamsburg-Yorktown areas, international athletic events, and cultural and social activities.

[1] For background, see BULLETIN of Feb. 11, 1957, p. 221.

Vice Admiral Richmond Heads Committee on Oil Pollution of Seas

Press release 61 dated February 11

Vice Adm. Alfred C. Richmond, Commandant of the U. S. Coast Guard, has been selected chairman of the National Committee for Prevention of Pollution of the Seas by Oil at the second meeting of that organization, held February 8 at the Department of State.[1]

The National Committee is charged with responsibility for the study and review of the oil pollution problem as it affects the United States. It plans and disseminates proposals designed to alleviate the oil pollution problem, including research and educational measures, means for international cooperation, and the study of technical problems.

[1] For an announcement of the first meeting, see BULLETIN of Oct. 1, 1956, p. 521.

Business at the February 8 meeting included the installation of Vice Admiral Richmond as chairman of the committee and the delegation of responsibility to the Coast Guard for a technical evaluation of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, which would facilitate the committee's study of that convention. Other matters relating to the committee's terms of reference and future plans were discussed.

The National Committee was established in compliance with the recommendation of the International Conference on Pollution of the Seas and Coasts by Oil held at London in 1954 [2] to the effect that such committees in each nation be established to study and propose remedies for this longstanding international problem. The committee consists of representatives of governmental agencies. The various departments, however, are represented in more than one capacity and also may reflect the views of various nongovernmental interests and organizations concerned with oil pollution problems.

Represented at the meeting were the Departments of Commerce, Defense, Interior, State, and Treasury.

[2] For an article on the London conference by Rear Adm. H. C. Shepheard and John W. Mann, see *ibid.*, Aug. 30, 1954, p. 311.

U.S. Replies to Swiss Request To Arbitrate Interhandel Issue

U.S. NOTE OF JANUARY 11, 1957

Press release 57 dated February 8

On January 11, 1957, the Department of State informed the Government of Switzerland in a note handed to the Minister of Switzerland that the Government of the United States was unable to comply with the Swiss request for arbitration or conciliation of the Swiss claim for a release of the large shareholding in General Aniline and Film Corporation. These shares had been seized in 1942 by the United States as enemy property under the Trading With the Enemy Act. This note was accompanied by a memorandum which explained in detail the reasons for the position of this Government. Following is the text of the Department's note together with the accompanying memorandum.

The Secretary of State presents his compliments to the Honorable the Minister of Switzerland and has the honor to refer to the Legation's note dated August 9, 1956, concerning certain shares in General Aniline and Film Corporation, an American corporation, held and owned by the United States under the Trading With the Enemy Act, and claimed by a corporation incorporated under the laws of Switzerland, Societe Internationale pour Participations Industrielles et Commerciales S. A., hereinafter called Interhandel, and the Swiss claim to the right to a release of this property because of the provisions of the Swiss Allied Accord of May 25, 1946.[1] The Swiss Government has requested arbitration or conciliation of the claim with respect to the property in question.

In the note under reference, the Government of Switzerland further requested that the *status quo* be maintained in respect of those shares pending arbitration or conciliation proceedings.

The United States Government deeply regrets that the Interhandel case and the interpretation of the provisions of the Swiss-Allied Accord have so long represented sources of disagreement between the United States and Switzerland. Over a period of many years the two Governments have on repeated occasions expressed their views on these subjects.

Mindful of the traditionally fruitful and friendly relations between the United States and Switzerland, the United States Government has given most serious consideration to the views expressed in the aforementioned note. This has involved a thorough and lengthy reexamination by

[1] For text, see BULLETIN of June 30, 1946, p. 1121.

this Government of the varied and complicated issues connected with the proposals of the Swiss Government. This reexamination has resulted in confirming the views on this matter heretofore communicated to the Swiss Government on repeated occasions since 1947.

The United States Government regrets therefore to inform the Government of Switzerland that, for reasons set forth in detail in the enclosed memorandum, it cannot agree to the suggestion of the Government of Switzerland that the said matter be referred to arbitration, on the ground that the matter does not involve a dispute falling within the scope of the obligation to have recourse to arbitration. Likewise as to the suggestion of conciliation, the United States Government regrets that it cannot accede to this suggestion for the reasons set forth in said memorandum. In view of this conclusion, the United States Government also regrets to state that it cannot agree to the request of the Government of Switzerland that the *status quo* be maintained in respect to the assets of Interhandel located in the United States.

The United States Government recalls its notes of May 27, 1953 [2] and June 7, 1955 [2] to the Government of Switzerland, in which the Attorney General of the United States expressed the willingness to negotiate with the parties a settlement of the case in the United States courts. The Attorney General remains willing to enter into direct negotiations with the parties to the suit or their duly authorized representatives, in the light of the status of the suit, for a settlement of the case which will protect the legitimate interests of all parties concerned.

Enclosure:
Memorandum

DEPARTMENT OF STATE,
Washington

The Government of Switzerland has requested arbitration or conciliation, pursuant to the Treaty of February 16, 1931 or the Swiss-Allied Accord of May 25, 1946, of the question of its right, under the Accord of 1946, to the release of certain shares in General Aniline and Film Corporation, an American corporation, held and owned by the United States under the Trading with the Enemy Act and claimed by a Swiss corporation, Societe Internationale pour Participations Industrielles et Commerciales S. A., hereinafter called Interhandel.

[2] Not printed.

I. *The Treatment of the Case in the United States Courts.*

The matter of the ownership of the shares in question has been the subject of proceedings, now concluded after a full and fair hearing, in the competent courts of the United States.

The shares were vested by this Government in 1942, under the Trading with the Enemy Act, as the property of I. G. Farben of Germany. In 1948, Interhandel, a Swiss holding company, brought a suit for the return of the shares against the Attorney General as successor to the Alien Property Custodian. The issues were whether Interhandel was an enemy or was enemy-tainted under United States law, whether Interhandel owned the property, and whether Interhandel had participated in a conspiracy with the Sturzenegger banking firm in Basle and I. G. Farben to cloak properties around the world, in the interest of I. G. Farben, a German concern, and to allow Farben to control such properties.

In the course of proceedings in intervention, begun by minority stockholders of Interhandel and carried to the Supreme Court of the United States, it has been held that any dismissal of the complaint of Interhandel would leave unaffected the rights of minority, non-enemy stockholders.

In 1949, the District Court of the United States for the District of Columbia, in which the suit was pending, ordered that the Department of Justice exhibit to Interhandel all its records, and that Interhandel reciprocally exhibit to the Department of Justice the Interhandel records and the Sturzenegger records controlled by Interhandel. These Interhandel and Sturzenegger records had been examined by the Swiss Compensation Office in an investigation of the German character of Interhandel. Interhandel thereupon examined and photostated all the records of the Department of Justice, consisting of over 20,000 documents. When, however, the time came for exhibition of the Interhandel and Sturzenegger records, the Sturzenegger records were seized, by order of the Swiss Government, under the Swiss bank secrecy and economic espionage laws.

Thereafter, many individual papers were ordered to be released, but others of an unknown number, as well as the books of account ordered produced, were continued under order of seizure. This order, now withdrawn because the litigation in the United States has ended, was many times reaffirmed by the ministries involved and by the Swiss Federal Council, the last instance having occurred on September 5, 1956.

The papers of Interhandel itself were purported to be exhibited to the Department of Justice, but it developed thereafter that several thousand had been withheld and that the books of account exhibited to the United States Department of Justice were a different set from the original books examined by the Swiss Compensation Office. The Basler Nachrichten of March 29, 1956, reports an admission by the management of Interhandel that the books of the company were kept in a preliminary version and that, while this version was available to the Swiss Government, the American Department of Justice was shown only a final version of the books, which omitted certain items, though the United States Court had ordered

Interhandel to produce the documents and books which had been examined by the Swiss Government.

The eventual dismissal of Interhandel's complaint was based on the failure to produce the Sturzenegger papers. The Court originally set the time for production of the papers as July 1949. When after lengthy proceedings it finally appeared that the papers would not be produced, the Court ruled, in 1953, that the suit by Interhandel must be dismissed with prejudice for the failure of the claimant to produce the required papers. 111 Fed. Sup. 435. The Court held that Interhandel had shown itself unable to comply with the fundamental rules of the American judicial system under which the facts must be fully developed and revealed in order that justice be done. It was held irrelevant that Interhandel was prevented by the orders of its Government from producing the papers. The Court noted that it was not sitting in judgment on the secrecy laws of Switzerland; that neutrals as well as citizens, governments as well as individuals, were required to comply with the rules of procedure of United States courts, which are designed to give full discovery of the facts to the adverse party in the interest of fair and just settlement of disputes.

To adopt any other course, the Court held, "would permit a foreign government to release only the documents favorable to one party and to retain or destroy the rest" and "might defeat the purposes of the Trading with the Enemy Act by permitting a foreign national to bring suit in this country to recover property seized under the Act and then seek shelter under the protective cloak of its government when discovery is sought". The Court concluded that "due process would be denied if a foreign government were to be allowed to frustrate the procedures established in the Courts of the United States".

The United States Court of Appeals for the District of Columbia unanimously affirmed this decision and the Supreme Court of the United States has refused to review the case further. 385 F. 2d 532, 350 U.S. 937.

In June 1955, when the Court of Appeals affirmed the decision of the District Court, it granted Interhandel still another extension of time of six months to produce the records, and this extension was prolonged during the Supreme Court's consideration of the matter. The last extension of time expired in August 1956, and the case now stands dismissed without any qualification.

United States courts are known for their independence and readiness to do justice at the suit of all, regardless of whether the suitor is an alien or whether the United States Government is the party against whom complaint is brought. These courts have a continuing preoccupation to maintain the principles both of American constitutional law and of international law that property may not be taken from citizen or alien without due process of law and that for every taking claimed to be illegal there must be a full remedy.

The course of the proceedings in this case has shown the solicitude of the laws and of the courts of the United States for the rights of Interhandel. By Sections 9 (a) and 32 of the Trading with the Enemy Act, Congress has given two remedies to any person claiming that he is the owner of vested property and that he is not enemy-tainted. One is the right to file a claim with the administrative authorities. The second remedy, heard *de novo* by the courts without any prejudice by a failure in the first remedy, is the right to litigate in court. Interhandel has had the benefits of both remedies. Both its claim and suit have been dismissed.

The remedy thus provided by Congress in the Trading with the Enemy Act has been held by the Supreme Court of the United States to be full and adequate and in compliance with the principles of the Constitution mentioned above. *Stoehr* v. *Wallace*, 255 U. S. 239. The rules of procedure in the United States courts regarding disclosure of information are an integral part of the judicial remedy afforded by the United States, and are in compliance with the standards of international law for a fair hearing. Interhandel has received due process of law. The claim of Interhandel to the shares in question has thus been defeated.

II. *The Claim of the Swiss Government.*

The claim which is being made by the Swiss Government is stated to be based upon the Allied-Swiss Accord, signed at Washington on May 25, 1946, and known as the Washington Accord. Arbitration or conciliation is requested under that Accord or under the Treaty of February 16, 1931.

A. The Claim Under the Washington Accord.

In respect to the Washington Accord, it has been asserted by the Swiss Government that a decision by the Swiss Compensation Office in 1947, affirmed by the Swiss Authority of Review in 1948, to the effect that Interhandel is a Swiss concern and not German owned or controlled, was a decision pursuant to its authority under the Washington Accord of May 25, 1946, and therefore binding on the United States to release Interhandel assets located in the United States, under Article IV of the Accord. Article IV provides that "the Government of the United States will unblock Swiss assets in the United States".

The United States Government cannot accept this argument. The decisions adverted to were not under the Accord but were rather decisions by Swiss tribunals under a Swiss decree of February 16, 1945. Moreover, even had the decisions been made under the Accord, they would necessarily have had to be limited in application to Interhandel's assets in Switzerland and would have had no effect on the General Aniline and Film shares since these shares are property in the United States, not in Switzerland. The authority of the Swiss Compensation Office and of the Authority of Review under the Accord did not encompass German assets located outside Switzerland, being limited to such assets located in Switzerland. Lastly, the obligation to unblock in Article IV refers to the lifting of United States Treasury controls on admittedly Swiss assets and not to the divesting of property vested by the Alien Property Custodian as German enemy property, which has always been fully understood to be a wholly different matter.

1. The proceedings before the Swiss Compensation Office and the Authority of Review were not proceedings under the Accord and thus could not be binding on the Joint Commission established pursuant to that Accord or on the Allies. The proceedings were purely Swiss,

before a Swiss tribunal on a Swiss matter—a blocking of Interhandel by Swiss authorities under a Swiss decree.

The decisions of the Swiss Compensation Office and of the Authority of Review were based on Interhandel's complaint. This complaint, which was instituted even before the Washington Accord was signed, was against a domestic, Swiss blocking of the assets of Interhandel, in October and November 1945, under a Swiss decree of February 16, 1945. It has been claimed that the decision of the Swiss Authority of Review, when it affirmed the decision of the lesser body, was one under the Washington Accord, and in support of this it has been claimed that the sole purpose of the Authority of Review is to hear disputes arising under the Accord. However, by the Swiss decree of December 27, 1946, the Authority was given jurisdiction over purely Swiss matters, including appellate jurisdiction over the decisions of the Swiss Compensation Office in respect of blockings under the Swiss decree of February 16, 1945. Thus, when the Authority of Review on January 5, 1948, affirmed the decision of the Swiss Compensation Office, it was not acting under the Accord but rather as an entirely Swiss body exercising jurisdiction granted by Swiss law to affirm a decision by another Swiss body under a Swiss law—the 1945 blocking decree.

The decision makes this clear. The title of the decision states that the matter involved is Interhandel's appeal against the 1945 blockings. In the opinion, the Authority concerns itself only with whether the facts warrant the blocking of Interhandel under the 1945 blocking decree. Furthermore, the judgment is only that the Swiss blocking is rescinded retroactive to the date it was imposed, October 30, 1945. This date was long before the Washington Accord was negotiated.

The fact that the Joint Commission under the Washington Accord was invited to join in the proceeding and refused to do so did not convert the decision into a decision under the Accord. The Joint Commission made it clear that the Interhandel case before it under the Accord was a separate matter, still on its agenda and that the decision of the Authority could have no effect on the case under the Accord. In its letter of December 19, 1947, declining the invitation as inappropriate under the Accord, the Joint Commission said:

"The case in question is still under consideration by the Joint Commission under the terms of the Washington Accord and as yet the Commission has not disagreed with any decision of the Swiss Compensation Office and thus there seems no basis for the Joint Commission to appear before the Commission de Recours at this time as provided in Article III of the Annex to the Washington Accord.

"A majority of the Joint Commission would prefer that the case of I.G. Chemie [Interhandel] be postponed by the Commission de Recours until consideration of the matter by the Joint Commission has been concluded. If, however, this wish cannot be granted, a majority of the Joint Commission states that the appeal presented by the aforementioned firm can, naturally, have no effect on any proceedings, undertaken pursuant to the Washington Accord, on the matter by the Joint Commission."

The Authority of Review in its opinion recited the contents of this letter from the Joint Commission. While the Authority could not agree to the postponement of its decision, it did not suggest that its decision would affect the issue under the Accord. It rather went on to write a detailed opinion devoted only to the 1945 Swiss blocking and the decree of February 16, 1945. The Authority by this opinion recognized that it was making a decision on a Swiss blocking case and not one under the Washington Accord. The decision, therefore, cannot be considered to bind anyone under the Washington Accord.

2. Moreover, a decision of the Authority of Review under the Accord could have no effect on any property in the United States such as these shares, for the Accord (except for Article IV thereof) relates only to German property in Switzerland and the authority of the Swiss Authority of Review is as a consequence limited to German property "in Switzerland". This is borne out by the words of the Accord, its purpose, the record of the negotiations and its construction by the parties.

In the entire history of the negotiations of the Washington Accord there was never a suggestion by anybody that the Swiss Compensation Office, which the Accord provided would deal with German assets in Switzerland, or the Swiss Authority of Review should have any jurisdiction regarding assets, German or otherwise, not located in Switzerland. Neither was there any suggestion that either of these bodies should have any jurisdiction in matters arising under Article IV of the Accord.

The negotiations were between representatives of the United States, United Kingdom, and France on the one hand, representing Allied countries entitled to seek reparations from German assets in Switzerland, and representatives of Switzerland on the other. The concern of all, as is about to be demonstrated, was only German assets in Switzerland. It was in this connection that provision was made in Article I of the Accord for the functions of the Swiss Compensation Office with respect to German assets in Switzerland. Article IV, though included in the Accord, dealt with a purely bilateral matter between the United States and Switzerland, namely the unblocking of Swiss assets in the United States. It was not germane to the scheme represented by the rest of the Accord, but related to an entirely separate matter, and is discussed separately below.

That only German assets located in Switzerland were the concern of the negotiators and their Governments is clear. The first two articles demonstrate this limitation. By Article I, paragraph 1, the Swiss Compensation Office was to investigate and liquidate "property of every description in Switzerland owned or controlled by Germans in Germany", and by paragraph 2 the German owners were to be indemnified "for the property which has been liquidated in Switzerland pursuant to this Accord". The "proceeds of the liquidation of property in Switzerland of Germans in Germany" were to be divided equally between the Allies and Switzerland. Art. II (1).

The Accord did not deal with the title to German property in the United States, although in Article IV it provided for the unblocking of Swiss assets in the United States. Its subject matter as to title was confined to German property in Switzerland.

In the Accord, in the Annex dealing with procedures and in the letters simultaneously exchanged, there are repeated and numerous references confirming that the

property which is the subject of the Accord is German property in Switzerland. E. g., pages 42, 57, 59, 66 of the plenary sessions of the negotiators. The chief Swiss negotiator stated, "You ask the German assets in Switzerland for reparations and we ask the German assets in Switzerland for covering at least partially our claims against Germany" (pages 64–65 of the plenary sessions).

The preamble, illuminating the entire purpose and scope of the Accord, opens with words confirming that the outer limits of the Accord are German property in Switzerland. It is said that the Allies have "claimed title to German property in Switzerland by reason of the capitulation of Germany and the exercise of supreme authority within Germany", that the Swiss Government was unable to recognize this claim but desired to contribute to the reconstruction of Europe and that in these circumstances the parties had arrived at the Accord.

The Swiss Government has itself acted on the basis that German property not within Switzerland is not within the Accord, by freeing from restrictions under the Accord such German assets as were administered from Switzerland but were not actually located there, on the ground that "the Washington Accord covers only assets in Switzerland". (Feuille Fédérale, 1949, p. 774–5.)

It must be recognized, too, that the American negotiators of the Accord were not authorized to make an Accord which would affect rights to property in the United States, either vested or subject to vesting as enemy property. Vested property is not only subject to the power of Congress as such but is also subject under the Constitution to Congressional control because it is property of the United States. The disposition of such property was and is solely for Congress, which had then by statutes, since repeated and confirmed, expressed its will as to the release of property deemed enemy property under the standards of United States law. There have been set out above, in Part I, the methods permitted by Congress for the release of property vested as enemy under the Trading with the Enemy Act. These methods were exclusive and could not be varied by negotiators in the Executive Branch, who as to vested property, were bound by the Constitutional provision that only Congress and not the Executive may dispose of property of the United States. The negotiators were thus not authorized to make, and did not make, any agreement in the Accord affecting property vested in the United States.

Other materials, which need not now be specified in detail, confirm that the Accord was in terms and in its construction limited to German assets in Switzerland. In its origin it was intended to be so limited. The genesis of the Accord lies in the Inter-Allied Declaration of January 5, 1943, and in Resolution VI of the Bretton Woods Conference of July 1944. By these declarations the Allies stated their intention to undo acts of looting by the enemy and to take possession of enemy assets in neutral countries. In the Potsdam Protocol of August 2, 1945, it was agreed that the Allies other than the U.S.S.R. were in part to satisfy their reparations claims from German external assets in neutral countries. The Allied Control Council for Germany was directed to take control and power of disposition of German external assets "not already under the control of the United Nations" (Part II (B) (18)). Accordingly, the Control Council enacted its Law No. 5, claiming title to German external assets. The effectuation of this law was the stated purpose of the negotiations, requested by the Allies, which culminated in the signing of the Accord. The Allies already had taken control over German property within their own borders and there was no need for any negotiations or for any Accord with Switzerland with respect to such property. There was, however, need for an Accord which would recognize the Allied rights to the German property in Switzerland.

The Paris Reparation Agreement of January 14, 1946, was the final step in the chain of international events preceding the Washington Accord. By Article 6A of the Agreement the signatory powers agreed to retain the German assets within their borders. Further, they authorized France, the United Kingdom and the United States to negotiate with Switzerland for the disposition of German assets in Switzerland, and with the other neutrals for the disposition of German assets in those other countries. Article 6C provides:

"German assets in those countries which remained neutral in the war against Germany shall be removed from German ownership or control and liquidated or disposed of in accordance with the authority of France, the United Kingdom and the United States of America, pursuant to arrangements to be negotiated with the neutrals by these countries. The net proceeds of liquidation or disposition shall be made available to the Inter-Allied Reparation Agency. . . ."

It was pursuant to this authorization that the three named powers negotiated the Washington Accord with Switzerland and in Article V of the Accord the negotiating powers noted that they signed on behalf of the governments signatory to the Paris Reparation Agreement. The limitation on their authority of the three powers bound them to seek only to gain control of German assets in the neutral countries, on behalf of the United Nations who are members of the Inter-Allied Reparation Agency. The three powers had no authority to negotiate with respect to assets outside Switzerland.

Accordingly, the powers represented in the Inter-Allied Reparation Agency have declined to accept the Swiss Government's position on the Washington Accord. On January 21, 1949, the Assembly of the Inter-Allied Reparation Agency, comprising all the powers signatory to the Paris Reparation Agreement, having been informed of the Swiss Government's arguments to the contrary, denied that the argument had any validity. The resolution of the Assembly reads, in part, as follows:

"CONSIDERING that the Washington Agreement is clearly limited in scope to apply solely to German assets located in Switzerland, and that its language demonstrates that the negotiating powers recognized that there was no authority vested in them to bind Governments Members of the Inter-Allied Reparation Agency, in a way which would affect the respective rights of those Governments over assets within their own jurisdiction;

"CONSIDERING therefore that the decisions of the Joint Commission cannot be binding or have extraterritorial effect on assets within the jurisdiction of Governments Members of the Agency;"

Individual Governments, including those of France and Belgium through their courts, have taken a similar position. Cour d'Appel de Colmar, France, May 31, 1949;

Cour de Cassation, Belgium, September 17, 1953, 141 Pasiorisie Belge 1. The opinion of the Belgian court, the highest court of that country, states:

"The Washington Accord relates only to German assets located in Switzerland. Its terms demonstrate that it is entirely inapplicable to assets located in the territory of any of the powers signatories to the Accord, and it has no bearing upon measures which such power may deem appropriate to take with regard to those assets.

"The decision of the said Joint Commission, therefore, does not bind the Belgian Government or the Belgian courts as concerns the execution of measures in the sequestration of the assets of the Aeroxon Corporation located in Belgian territory.

"In this respect, the place where plaintiff's shares are located is irrelevant. . . ."

3. Proceeding from the contention, which, as indicated above, the United States does not accept, namely, that the decision that Interhandel is Swiss was made under the Accord and therefore binds the United States, the Swiss Government assumes that, Interhandel being Swiss, its American assets are Swiss. It then contends that under Article IV of the Washington Accord they are required to be released.

Article IV (1) of the Accord provides:

"The Government of the United States will unblock Swiss assets in the United States. The necessary procedure will be determined without delay."

The contention, as stated in the earlier notes of the Swiss Legation, is apparently that by this article the United States undertook to "release" or "liberate" any "Swiss" assets such as these, claimed to be Swiss though vested in the United States as enemy.

The United States did not accept such an obligation. For one thing, it would have been beyond the powers of the negotiators. Vested property is property of the United States and can be disposed of only by Congress, whose will is expressed in the Trading with the Enemy Act. In 1946, at the time the Accord was being negotiated, Sections 9 and 32 of that Act had already expressed Congress' intention with respect to the return of property vested as enemy. Only those who proved themselves to be nonenemies under Section 9 or to be only technical enemies such as persecuted persons under Section 32 could obtain a return of vested property. Thereafter, in 1948, the Congress by Section 39 confirmed that there was to be no return of property deemed to be German. These dispositions of law governed the negotiators for the Accord. An agreement to release property vested as enemy, such as the Government of Switzerland now contends was made by the Accord, was thus beyond the executive power as an encroachment upon the legislative powers of Congress. It could therefore not be made and it was not purported to be made.

The obligation which was undertaken by the United States under Article IV of the Accord was merely to lift or remove the controls on all recognized Swiss property then maintained by the United States Treasury Foreign Funds Control under Executive Order No. 8389. That the wholly different set of laws and procedures applicable to enemy property under the Trading with the Enemy Act was no part of this obligation was fully understood by all parties at the time of the negotiation.

The reason for this was the great difference between freezing of foreign property—blocking and unblocking—and vesting of enemy property. The foreign funds controls had as their purpose the prevention of enemy advantage from foreign owned assets. Their means was an immobilization of property, without any taking of title or seizure, and a prohibition on dealings without Treasury license. The administering agency was the Treasury Foreign Funds Control, and the method of the release of the controls was the grant of a license, either general or special, in the discretion of the Secretary of the Treasury.

The system for enemy property was another thing entirely. Its purpose was the seizure of enemy property in the beneficial interest of the United States, and its means was a vesting which transferred title to the United States. The administering agency was the Alien Property Custodian (later the Attorney General), and the method of release was an administrative claim before the Attorney General and, if that were denied, a suit in the courts under Section 9 (a) of the Trading with the Enemy Act.

The recognized vocabulary descriptive of the Treasury foreign funds controls was "block" and "blocking", "freeze" and "freezing", for the imposition or existence of the controls, and "unblock" or "defrost" for their lifting or removal. Thus, agreement to the lifting of the controls in what became Article IV was requested in a Swiss letter of April 11, 1946, asking for an end to "freezing". To this request the chief American negotiator responded on April 12 that when the other issues were settled, the United States would discuss "procedures for the unfreezing of legitimate Swiss assets in the United States". The actual lifting was expressed in Article IV of the Accord as an obligation to "unblock".

On the other hand, the recognized vocabulary appropriate for the enemy property program was "vesting" and "divesting" of enemy or German property. The use of the term "Swiss assets" precluded any thought of divesting, for property was vested only when it was deemed to be enemy property, and divesting took place not by executive action but on findings made in an administrative claim proceeding or by the court in a lawsuit. The terms "unblock" and "Swiss assets" were thus a complete negation of any thought of divesting of enemy assets.

It is clear that the negotiators for the Government of Switzerland, who had great experience in these matters, understood the words used in the sense indicated above. The record of the negotiations discloses that the words "unfreeze" and "unblock", "blocking" and "freezing" were used interchangeably by the Swiss negotiators, and moreover used to refer to Treasury controls.

In an early meeting the chief negotiator for Switzerland said (Meeting of March 18, 1946, p. 29):

"As far as legally acquired property which came to us is concerned, our attitude is identical with that taken by the United States at the time of the introduction of the 'freezing' and which was defined as follows: 'We have to protect those who have faith in the United States and invested their assets here.' It is strange, indeed, that the Swiss assets which had been blocked with this end in view cannot now be released, precisely because we cannot stoop to observe an attitude which would be the

very negation of the American principle which I have quoted." (Plenary Meeting of March 18, 1946, p. 29.)

The speaker here was not only using "blocked" and "freezing" as referring to the United States Treasury foreign funds controls but he was showing an intimate knowledge of the origins and even the rationale of those controls, matters which are in all respects utterly different from the program for the vesting of enemy property.

Other instances in which the chief negotiator for Switzerland repeatedly expressed his concern, in the course of the negotiations for the Accord, over the blocking and freezing of Swiss assets, using the words interchangeably, are to be found at pages 21, 30, 44, 48, 53 of the record of the plenary sessions and in the letters from Minister Stucki of April 17 and 24, 1946. When the matter was discussed in the Swiss Parliament it was so clear that only Treasury controls were being lifted that the totals of the Swiss assets involved were stated as reported by a United States Treasury publication on the results of its freezing controls. Debates, Nationalrat, June 26, 1946, p. 403.

There likewise was no misunderstanding on the part of the United States negotiators, who could not have so ignored the provisions of law stating the exclusive means for the divesting of property vested as enemy.

The Swiss Government has long recognized that the obligation of Article IV to unblock Swiss assets was implemented in exchanges of letters between Secretary of the Treasury Snyder and the Chief of the Federal Political Department, M. Petitpierre, on November 22, 1946, and between Counsellor Dr. Reinhard Hohl and Mr. James H. Mann, United States Treasury Representative, on November 25, 1946. Feuille Fédérale, 1949, 776–7.

In the letter from Dr. Hohl it is said:

"It was understood throughout the discussions that the arrangements provided for in the foregoing and in the letter [of Secretary Snyder] were designed only to meet practical operation problems and do not in any way alter the status under the Trading with the Enemey Act, as amended, or Executive Order No. 8389, as amended, of enemy assets situated within the United States and held through Switzerland."

This was a clear reference to Interhandel, which is precisely such a case.

By the agreements of November 1946 the parties recognized that enemy property, whether vested or subject to vesting, was outside the obligation to unblock. Thus there was agreement that property, though claimed to be Swiss, was not eligible for certification by Switzerland for unblocking if the American authorities deemed it to be enemy. See also Feuille Fédérale, 1946, 131; Feuille Fédérale, 1949, 777.

There is much further evidence to support the conclusion that the obligation to "unblock Swiss assets" has no bearing on the vested enemy property claimed by Interhandel. For instance, it appears that there is no reference in the record of the negotiations either to the Interhandel case, the largest case of vested enemy assets, or even to vested enemy assets generally. Moreover, vested enemy assets were administered by the Department of Justice, a different agency from the Treasury. In the very week of the signing of the Accord while some of the Swiss negotiators met with Treasury officers to discuss the implementation of Article IV, i. e., the provisions which eventually became the Snyder-Petitpierre letter, a somewhat different group of Swiss representatives met with the Department of Justice to discuss a joint Swiss-American investigation of Interhandel, for the purpose of determining procedures to obtain evidence that could be used by the United States in the defense of the suit which it was expected Interhandel would bring against the American authorities under the American Trading with the Enemy Act, in an attempt to recover property of Interhandel already vested by the United States as enemy property. It was recognized by all that any unblocking in the United States pursuant to Article IV was an entirely separate matter from the vesting of the assets in the United States claimed by Interhandel.

The distinction between "block" and "unblock" and "freeze" and "unfreeze" Swiss assets on the one hand, and "vest" and "divest" enemy assets on the other, was and is as great as can be achieved by the use of technical words, deliberately chosen and well understood. Consequently the contention that the United States was committed by Article IV to divest itself of General Aniline and Film shares vested as German is without merit on two separate grounds. First, the term "unblock" shows an exclusive concern for the lifting of Treasury foreign funds controls and has no relationship to any divesting or return under the procedures appropriate for property vested as enemy. Secondly, even as to an obligation to unblock, this obligation ran only to property admittedly Swiss, and not to property subject to vesting as enemy property.

4. In 1948, this Government, on request of the Swiss Legation, completely reexamined its views on this matter. This Government then reaffirmed to the Swiss Government its position as follows:

"The question of the return of the property formerly owned by I. G. Chemie [Interhandel] and now vested under the Trading with the Enemy Act is wholly beyond the scope of the Washington Accord of May 25, 1946, and is governed solely by the statutes of the United States. The question is far beyond any permissible construction of the Accord and is therefore not subject to the arbitration clause of the Accord."

These views are again reaffirmed. No claim of a denial of justice in the court proceedings has been asserted by the Government of Switzerland on behalf of its national, Interhandel, nor do any grounds exist for the assertion of such a claim. As stated, there has been full justice and due process of law. The Government of Switzerland has no ground in this respect to request arbitration.

In so far as the claim made is grounded on the Washington Accord, there was no agreement and hence there is no obligation to arbitrate contentions which, as demonstrated, are beyond any permissible construction of the terms of the Accord. The assertion of a claim said to be based upon an international agreement, which clearly has no relation to the claim, cannot give rise to an obligation to arbitrate.

As stated above, under Article IV, Section 3, of the Constitution of the United States only Congress has the power to dispose of property belonging to the United States, and the negotiators of the Accord, in the Executive

Branch, had no authority to make (even if they had purported to, which as pointed out they did not) any agreement to transfer property located in the United States and owned by it, property whose disposition had at that time been specifically provided for by statutes enacted by the Congress. Likewise, these negotiators had no authority, no Congressional consent having been given, to agree to submit a question to arbitration which could result in an arbitral decision that the United States should transfer certain of such property to another. Therefore, it was impossible for the negotiators to have agreed, for the United States, that the instant contentions of the Swiss Government, or any other questions affecting the release of property vested as enemy in the United States, were arbitrable matters under the Washington Accord.

The Government of the United States therefore cannot agree to the suggestion of the Swiss Government that the said matter be referred to arbitration under the Accord, on the ground that the matter does not involve a dispute falling within the obligation under the Accord to have recourse to arbitration.

B. The Claim Under the 1931 Treaty.

As a matter wholly apart from the Accord, the Swiss Government also requests arbitration of "the interests in question", under the Treaty of February 16, 1931. This request would put within the competence of arbitrators the power to dispose of property within the United States, as is here involved. A dispute involving title to such property is not subject to arbitration. Article VI of the Treaty specifically provides that:

"The provisions of Article V [the arbitration provision] *shall not be invoked* in respect of any difference the subject matter of which

(a) is within the domestic jurisdiction of either of the Contracting Parties, ..." (emphasis supplied)

The decision on what questions are within the domestic jurisdiction is, under the Treaty, made unilaterally by each party for itself, without any review or contest by others, who cannot be as fully appreciative of the nature of the domestic jurisdiction of a party as that party itself. Message concerning the ratification of the Treaty of February 16, 1931, Feuille Fédérale, 1931, I, p. 961; Prof. M. Wehberg, *Die Schiedsgerichts- und Vergleichsvertraege der Schweiz*, (1942) Die Friedens-Warte 49, 63; compare 2 Foreign Relations of the United States, 1929, p. 4; J. W. Garner, *The New Arbitration Treaties of the United States*, 23 Am. Journal of International Law, 595, 598 (1929); see also 2 Oppenheim, International Law (7th ed. 1948) p. 31 and note 4.

The disposition of title to property located within a country is manifestly within the domestic jurisdiction of that country unless the country involved has by sovereign act removed the matter from its exclusive domestic jurisdiction. The United States has not removed the matter of the ownership of these shares in General Aniline & Film Corporation from its domestic jurisdiction. Neither by the Washington Accord nor any other act has the United States consented that any body other than its courts should determine the ownership of these shares. It has given an ample remedy in its courts, and the remedy has been fully utilized by Interhandel.

Now to agree that any body other than the United States courts acting under United States statutes has jurisdiction to rule on the ownership of the property here in question, would be to override and ignore the statutes enacted by Congress. These statutes provide the exclusive method, forum and standards for the return of property vested in the United States under the Trading with the Enemy Act. Under the Constitution of the United States as noted above the Executive Branch cannot dispose of property of the United States. It can only be disposed of by the Congress through appropriate statutes. It has already been pointed out that the negotiators for the Accord did not seek to bring about, and did not bring about, such an unconstitutional result. This Government could not now do what the negotiators were unable to do and did not do. As a consequence the United States deems the ownership of these shares is a matter "within the domestic jurisdiction" of the United States within the meaning of the Treaty, with the result that the arbitration provisions of the Treaty may not be invoked.

The comments made above regarding the request for arbitration also compel the conclusion that the interests of our mutual relations would not be furthered by resorting to conciliation under the 1931 Treaty. The processes of investigation and reporting by a conciliatory group upon the nature of a claim and its basis where there has been obscurity or lack of clarity therein, enabling the parties better to compose differences which have been based upon such obscurity or lack of clarity, are of course the essence of the provisions of the 1931 Treaty relating to conciliation. In that situation the parties nevertheless retained "the right to act independently upon the subject matter" even after the report is made. The instant case, however, does not represent that kind of situation. Rather, it is a case where the position of the Government of Switzerland and its basis have long been fully understood and the position of the Government of the United States of America has been communicated fully to the Swiss Government. Consequently, it is not the type of situation in which there could be any advantage to be gained from further investigation and reporting. Furthermore, such processes could not, for the reasons set forth above, lead to subsequent arbitration which, under the 1931 Treaty, appears to be one of the objectives of the process of conciliation.

The Swiss Government has not set forth a claim falling within the scope of the 1946 Accord, and the question of title to the shares, being a matter within the domestic jurisdiction of the United States, has been finally settled by the competent courts of the United States in proceedings the propriety of which is not questioned. Under the circumstances, and in the light of the Constitutional and statutory limitations regarding disposition of property of the United States referred to above, conciliation proceedings could not achieve the objectives of the conciliation provisions of the 1931 Treaty and would necessarily be unproductive. Therefore, the request for conciliation must be respectfully declined.

The position of this Government on this claim is based upon careful and repeated reexamination of the claim over a period of eight years. On each occasion the matter

has been raised by the Government of Switzerland, a careful reexamination of the question has taken place. In each instance the conclusion was the same. This Government again addressed itself to the problem, following receipt of the note of August 9, 1956, and has concluded that no change in its previously declared position is justified.

C. The Request for the Maintenance of the Status Quo

There remains for discussion the request for maintenance of the status quo of the assets involved, pending arbitration or conciliation. The note of August 9, 1956, suggests that principles of good faith, which underlie the authority of the International Court of Justice to take appropriate precautionary measures, require that this Government maintain the status quo. We take this request to be one to refrain from making any sale of the General Aniline and Film shares to which claim is made.

The request for maintenance of the status quo falls with the request for arbitration, for the principles above discussed are equally applicable to the request for maintenance of the status quo. In the instant case, moreover, the request for the maintenance of the status quo is in fact a request for a change of the status quo. To refrain from making a sale of the assets would prevent the effectuation of the laws of the United States which, once the litigation in the courts reaches a prescribed stage, permit and require a sale of the assets. A sale is desirable in the national interest of the United States, based in part upon considerations of national defense. Only the courts of the United States have jurisdiction to stay such a sale of property located in the United States; such jurisdiction is sovereign and exclusive.

SWISS NOTE OF AUGUST 9, 1956

The Charge d'Affaires ad interim of Switzerland presents his compliments to the Honorable the Secretary of State and, in accordance with instructions of his Government, has the honor to bring to his attention the following matter:

The fact that the considerable assets of the Societe Internationale pour Participations Industrielles et Commerciales SA., hereafter called "Interhandel", which were vested in 1942 and 1943, have to this date not been returned to their rightful owners, is a cause of great concern to the Government of Switzerland. Indeed, all attempts of the Swiss owners to obtain the return of their property have so far remained unsuccessful. As of the present, in view of the latest American court decisions in this matter, which have been restricted to mere procedural grounds, the prospects for a satisfactory overall solution seem to be remote.

The Federal Council is of the opinion that the refusal of the United States Government to return these assets is contrary to Article IV, paragraph 1, of the Swiss-Allied Accord of May 25, 1946. The Federal Council, in principle, as well as on account of the important interests involved, finds it impossible to acquiesce in such a situation. Therefore, it is now confronted with the necessity of giving the matter its consideration, not only on the basis of the principles of international law pertaining to the protection of the legitimate interests of a neutral State, which principles are recognized both by the United States and Switzerland, but also because the matter involves adherence to an agreement concluded between the Governments of the two countries.

Since, over a long period of time, differences of opinion have existed between the Governments of Switzerland and the United States with respect to the interpretation of the aforementioned Accord, which have been the subject of discussions on more than one occasion, the Swiss Government now finds itself compelled to submit the matter to settlement by international proceedings.

In view of the close and friendly relations between Switzerland and the United States, as well as in view of the general principles involved, the Swiss Government regrets that its repeated suggestions, made especially in the memorandum of the Swiss Legation in Washington, dated December 1, 1954, and its note of March 1, 1955, concerning the possibility of amicably settling the Interhandel matter in further diplomatic discussions, remained without positive reaction on the part of the United States Government, so that no other way remains open for the preservation of the interests in question. The Treaty of Arbitration and Conciliation concluded between Switzerland and the United States on February 16, 1931, provides in Article I that every dispute arising between the contracting parties shall, when ordinary diplomatic proceedings have failed, be submitted "to arbitration or to conciliation", as the contracting parties may at the time decide. An arbitration clause is also contained in the Accord of May 25, 1946. The Federal Council proposes that all necessary arrangements be made in accordance with the applicable provisions of the Treaty of February 16, 1931, but, in making this proposal, it is not intended to waive any rights under the Accord of May 25, 1946.

The Federal Council is convinced that the Government of the United States of America will, in view of the contemplated arbitration or conciliation proceedings, uphold the principles of the law of nations, whereby good faith demands that all action be avoided during the course of procedure which might prejudice the execution of the decisions of an arbitration court or the acceptance of the proposals of a conciliation commission, and, in addition, that the parties involved refrain from undertaking any kind of action whatsoever which might heighten or increase the differences in question. Therefore, in the sense of these principles of good faith, as laid down in numerous arbitration treaties, and which underlie the authority of the International Court of Justice to take appropriate precautionary measures, the Federal Council requests the Government of the United States of America to ensure that the status quo relating to the assets of the Interhandel located in the United States remains unchanged during the course of the arbitration or conciliation proceedings.

WASHINGTON, D. C.,
August 9, 1956

Consultations on Import Restrictions for Balance-of-Payments Reasons

Press release 63 dated February 12

The Committee for Reciprocity Information on February 12 issued notice that it invites submission of views in connection with U.S. participation in consultations with certain Contracting Parties to the General Agreement on Tariffs and Trade (GATT) which maintain restrictions on imports for balance-of-payments reasons.

A panel of 13 countries, including the United States, will conduct the consultations, which will be held separately with each of the countries listed below at Geneva, Switzerland, during the periods indicated:

June 1957	*October 1957*
Sweden	Turkey
Denmark	Finland
Italy	Brazil
Netherlands	Australia
Norway	Union of South Africa
Greece	Japan
Austria	United Kingdom
Germany	Federation of Rhodesia and Nyasaland
France	Ceylon
	Pakistan
	New Zealand

The Committee for Reciprocity Information is an interagency group within the U.S. Government which collects views of interested persons regarding proposed or existing trade agreements. The committee consists of a member of the U.S. Tariff Commission and representatives from the Departments of State, Treasury, Defense, Agriculture, Commerce, Labor, Interior, and the International Cooperation Administration.

The consultations will afford the opportunity for the Contracting Parties to review with each consulting country its financial situation and, in this context, to discuss the possibilities for further relaxation of the level of import restrictions and the moderation of particular policies and practices that have proved especially burdensome for the exporters of other countries.

Written statements should be submitted by March 29, 1957, concerning matters relating to those countries consulting in June, and by July 31, 1957, for those consulting in October. Communications should be addressed to: Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C.

The committee's formal notice, which follows, sets forth the types of information which American traders, business firms, labor organizations, and other interested individuals or associations may wish to submit.

COMMITTEE FOR RECIPROCITY INFORMATION

Consultations with certain contracting parties to the General Agreement on Tariffs and Trade regarding quantitative restrictions on imports for balance-of-payments reasons imposed under Article XII of the General Agreement

Submission of information to the Committee for Reciprocity Information:

Closing date for submission of written statements: March 29, 1957 regarding certain contracting parties, and July 31, 1957 regarding certain other contracting parties.

The Contracting Parties to the General Agreement on Tariffs and Trade intend to enter into consultations with certain contracting parties to the General Agreement which are applying import restrictions under Article XII of said Agreement (61 Stat. (pt.5) A34). Article XII relates to the use by a contracting party of quantitative import restrictions to safeguard its external financial position and balance-of-payments, but these restrictions must be progressively relaxed as conditions improve and must be eliminated altogether when conditions no longer justify their use.

The consultations, to be conducted in Geneva, will begin in June 1957 with the following contracting parties: Sweden, Denmark, Italy, Kingdom of the Netherlands, Norway, Greece, Austria, Germany, and France, and in October 1957 with the following contracting parties: Turkey, Finland, Brazil, Australia, Union of South Africa, Japan, United Kingdom, Federation of Rhodesia and Nyasaland, Ceylon, Pakistan and New Zealand. Such consultations will take place separately with each contracting party.

The consultations will afford the opportunity for the contracting parties to review with each consulting contracting party its financial situation and, in this context, to discuss the possibilities for further relaxation of the level of import restrictions and the moderation of particular policies and practices that have proved especially burdensome for the exporters of other countries. The discussions will cover four principal topics: (1) the present and prospective foreign exchange position of the country; (2) the means that might be used

to correct the country's foreign exchange difficulties and make it possible to relax or eliminate its import restrictions; (3) the country's system of import restrictions and its administration; (4) the effects of the country's import restrictions on the trade of other countries and on its own industries (which are incidentally afforded protection by the restrictions maintained for foreign exchange reasons).

American traders, business firms, labor organizations and other individuals or associations which have an interest in export trade to one or more of the consulting countries may, as a result of their own experience, have information pertinent to topics 3 and 4 above, that will be useful to the United States Government. Accordingly, the United States Government desires to supplement its preparations for the consultations by obtaining information and views from interested persons relevant to the matters covered in topics 3 and 4.

The following list includes examples of the type of information that interested persons may wish to furnish in response to this invitation:

1. Information indicating discrimination in the treatment of goods available from the United States as compared with the treatment afforded similar goods from other countries with convertible currencies;

2. Information indicating that trade is being restrained by complex or arbitrary licensing procedures or lack of adequate information available to traders regarding import regulations;

3. Information indicating that reasonable access to a traditional foreign market has not been restored for a particular commodity even though the country concerned has substantially relaxed its restrictions on imports in general;

4. Information indicating that the long-standing application of import restrictions by a country on a particular product has been accompanied by the growth of uneconomic output of that product within the country;

5. Information indicating that loss of foreign markets as a result of import restrictions has been responsible for a contraction of production or employment in an industry in the United States.

In order to enable adequate consideration of views and information submitted, it is requested that all responses be submitted by March 29, 1957 regarding those countries expected to consult in June 1957 and by July 31, 1957 for those consulting in October, 1957. Any additional information coming to the attention of the trade after these dates may be submitted to the Committee and it will be considered to the extent time permits.

All communications on this matter, in fifteen copies, should be addressed to: The Secretary, Committee for Reciprocity Information, Tariff Commission Building, Washington, D. C. Views may be submitted in confidence, if desired. If any interested party considers that his views cannot be adequately expressed to the Committee for Reciprocity Information in a written statement, consideration will be given to a request for oral presentation before the Committee for Reciprocity Information.

By direction of the Committee for Reciprocity Information this 12th day of February, 1957.

EDWARD YARDLEY
Secretary
Committee for Reciprocity Information

Renegotiation of Canadian Tariff Concession on Potatoes

Press release 51 dated February 4

The Committee for Reciprocity Information on February 4 issued notice that it will hold public hearings in connection with U.S. participation in tariff negotiations arising from Canada's desire to increase its rate of duty on potatoes under its tariff concession. The Canadian trade-agreement concession on potatoes was initially negotiated with the United States within the framework of the General Agreement on Tariffs and Trade.

The Committee for Reciprocity Information is an interagency group which collects views of interested persons regarding proposed or existing trade agreements. The committee consists of a member of the U.S. Tariff Commission and representatives from the Departments of State, Treasury, Defense, Agriculture, Commerce, Labor, and Interior, and the International Cooperation Administration.

The negotiations for modification of the concession would be undertaken under General Agreement procedures provided for in the March 10, 1955, "Declaration on the Continued Application of Schedules." Under the applicable procedures,

the country proposing modification of a concession negotiates with the country of initial negotiation (in this case the United States) and any other interested countries regarding compensation. In these negotiations new concessions may be granted by the country proposing the modification. Another possible result may be withdrawal or upward adjustment by the affected countries of concessions of a value substantially equivalent to the one modified.

In preparation for the proposed negotiations the Committee for Reciprocity Information would welcome views from interested parties regarding concessions which the United States might seek from Canada as compensation, as well as views concerning a possible upward adjustment in U.S. tariffs, including our tariff on potatoes, now the subject of concessions in the General Agreement.

Should the United States increase a most-favored-nation rate provided for in its schedule to the General Agreement, such modification might involve a modification also of the rate or of the margin of preference applicable to the like product of Cuba, other than the modification of a rate negotiated with Cuba. In that event it might become necessary to engage in further negotiations with Cuba, possibly combined with other pending tariff negotiations with Cuba.[1]

The texts of the existing Canadian potato concession and the existing U.S. concessions on potatoes negotiated with Canada are annexed to this release (annex A).

The U.S. Tariff Commission is not holding "peril point" hearings since no decrease will be made in United States rates of duty on potatoes.

Hearings before the Committee for Reciprocity Information will open on March 6, 1957, at 10 a.m. Applications for oral presentation of views and information should be presented to the committee not later than February 27, 1957. Persons desiring to be heard should also submit written briefs or statements to the Committee for Reciprocity Information by February 27, 1957. Only those persons will be heard who presented written briefs or statements and filed applications to be heard by the date indicated. Persons who do not desire to be heard may present written statements until March 6, 1957.

Communications should be addressed to: Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D.C.

Details concerning the submission of briefs and applications to be heard are contained in the committee's notice (annex B).

[1] For an announcement concerning negotiations with Cuba, see BULLETIN of Oct. 22, 1956, p. 646.

Annex A

CANADIAN POTATO TARIFF CONCESSION CONTAINED IN GENERAL AGREEMENT ON TARIFFS AND TRADE, SCHEDULE V.

Tariff item number	Description of product	Rate of duty
83	Potatoes, as hereunder defined:—	
	(a) In their natural state:—	
	August 1 to June 14, inclusive . .	Free
	June 15 to July 31, inclusive . . . . . per hundred pounds	37½cts.

UNITED STATES POTATO TARIFF CONCESSION CONTAINED IN GENERAL AGREEMENT ON TARIFFS AND TRADE, SCHEDULE XX, PART I.

(*Most-Favored-Nation Rates*)

Tariff paragraph	Description of product	Rate of duty
771	White or Irish potatoes:	
	Seed, certified by a responsible officer or agency of a foreign government in accordance with the official rules and regulations of that government to have been grown and approved especially for use as seed, in containers marked with the foreign government's official certified seed potato tags .	37½¢ per 100 lb.
	Provided, That the quantity of such potatoes entitled to entry at such rate of duty shall not exceed 2,500,000 bushels of 60 pounds each in any 12-month period beginning on September 15 in any year, and any such potatoes not subject to that rate of duty shall be dutiable at	75¢ per 100 lb.
	Other	37½¢ per 100 lb.
	Provided, That the quantity of such other potatoes entitled to entry at such rate of duty shall not exceed 1,000,000 bushels of 60 pounds each in any 12-month period beginning on September 15 in any year, and any such potatoes not subject to that rate of duty shall be dutiable at	75¢ per 100 lb.
	Provided further, That if for any calendar year the production of white or Irish potatoes, including seed	

UNITED STATES POTATO TARIFF CONCESSION CONTAINED IN GENERAL AGREEMENT ON TARIFFS AND TRADE, SCHEDULE XX, PART I—*Continued*

(*Most-Favored-Nation Rates*)

Tariff paragraph	Description of product	Rate of duty
771	White or Irish potatoes—*Continued* potatoes, in the United States, according to the estimate made as of September 1 by the United States Department of Agriculture, is less than 350,000,000 bushels of 60 pounds each, an additional quantity of such potatoes, other than certified seed potatoes, equal to the amount by which such estimated production is less than 350,000,000 bushels may be entered during the 12-month period beginning on September 15 of that year at	37½¢ per 100 lb.
	Provided further, That in computing the quantities of imports specified in the two foregoing provisions white or Irish potatoes produced in the Republic of Cuba shall not be included.	

Annex B

COMMITTEE FOR RECIPROCITY INFORMATION

Negotiations resulting from Canadian desire to renegotiate Tariff Concession on Potatoes in General Agreement on Tariffs and Trade

Submission of information to the Committee for Reciprocity Information:

Closing date for applications to appear at hearing February 27, 1957.

Closing date for submission of briefs by persons making application to appear at the hearing February 27, 1957.

Closing date for submission of briefs for persons not desiring to be heard March 6, 1957.

Public hearings open March 6, 1957.

The Government of Canada intends to renegotiate, with a view to its upward modification, the Canadian concession on potatoes contained in item 83 in part I of Schedule V (Geneva—1947) to the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A396). The United States will participate in such renegotiations, which will be carried out under the procedures provided for in the Declaration on the Continued Application of Schedules, of March 10, 1955 (Treaties and Other International Agreements Series 3438).

Interested persons are invited to submit their views with regard to the anticipated effect on United States Trade of modification of this concession on potatoes, or with regard to products on which the United States might request new or further tariff concessions from Canada as compensation to the United States for such modification of the Canadian concession. Views may also be submitted with regard to possible upward modification, or withdrawal, of United States tariff concessions in Part I of any Schedule XX to the General Agreement, including the concessions on potatoes (items 771, Schedule XX (Geneva–1947, 61 Stat. (pt. 5), A1244 and A1245).

Should the United States modify a rate of duty provided for in Part I Schedule XX, such modification might involve a modification also of the rate or the margin of preference applicable to the product of Cuba, other than the modification of a rate specified in Part II of any Schedule XX.

No concession involving reduction in duties or other import restrictions of the United States, or continuance of existing customs or excise treatment of an article not now included in any Schedule XX to the General Agreement, will be granted by the United States pursuant to this notice.

The Committee for Reciprocity Information hereby gives notice that all applications for oral presentation of views in regard to the proposed renegotiations shall be submitted to the Committee for Reciprocity Information not later than February 27, 1957. The application must indicate the product or products on which the individual or groups desire to be heard and an estimate of the time required for oral presentation. All persons who make application to be heard shall also submit to the Committee their views in writing in regard to the foregoing proposal not later than February 27, 1957. Written statements of persons who do not desire to be heard shall be submitted not later than March 6, 1957. Such communications shall be addressed to "Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C." Fifteen copies of written statements, either typed, printed, or duplicated shall be submitted, of which one copy shall be sworn to.

Written statements submitted to the Committee, except information and business data proffered in confidence, shall be open to inspection by interested persons. Information and business data proffered in confidence shall be submitted on separate pages clearly marked "For Official Use Only of Committee for Reciprocity Information."

Public hearings will be held before the Committee for Reciprocity Information, at which oral statements will be heard, beginning at 10:00 a. m., March 6, 1957, in the hearing room in the Tariff Commission Building, Eighth and E Streets, N.W., Washington 25, D.C. Witnesses who make application to be heard will be advised regarding the time and place of their individual appearances. Appearances at hearings before the Committee may be made only by or on behalf of those persons who have filed written statements and who have within the time prescribed made written application for oral presentation of views. Statements made at the public hearings shall be under oath.

By direction of the Committee for Reciprocity Information this 4th day of February, 1957.

EDWARD YARDLEY
Secretary
Committee for Reciprocity Information

First Annual Report on Operation of Trade Agreements Program

Following is the text of President Eisenhower's first annual report on the trade agreements program, submitted to the Congress on February 11 (White House, Thomasville, Ga., press release; House Document 93, 85th Congress, 1st session). The House document includes also the seven appendixes referred to in the report.

PRESIDENT'S MESSAGE OF TRANSMITTAL

To the Congress of the United States:

This is my first annual report on the operation of the trade agreements program. It is submitted to the Congress pursuant to Section 350 (e) (i) of the Tariff Act of 1930 as amended by Section 3 (d) of the Trade Agreements Extension Act of 1955. The trade agreements program is carried out under the authority contained in the Trade Agreements Act of 1934 and its various amendments and extensions.

Our present trade policy objectives, which I outlined in my special message on foreign economic policy of March 30, 1954,[1] were established after study by the bipartisan Commission on Foreign Economic Policy, constituted in 1953 pursuant to Public Law 215, 83rd Congress. Most of the Commission's recommendations have been adopted and put into effect. This report outlines the steps which have been taken to achieve these foreign trade policy goals.

The major efforts undertaken in recent years have been concentrated, first, upon improving the substance and administration of the existing trade agreement system. These activities are described in Section I of this report. They were directed primarily to a basic review of the General Agreement on Tariffs and Trade. This review resulted in proposals for the improvement of the substantive provisions of the General Agreement and in the drafting of an agreement to establish an Organization for Trade Cooperation. I have requested the Congress to authorize United States membership in the proposed Organization.[2] Establishment of the Organization for Trade Cooperation is essential to make our trade-agreements program more effective in the interest of American industry, agriculture and labor.

The United States has also taken gradual steps under authority granted by the Congress to reduce barriers to trade through reciprocal tariff negotiations. The most recent of these negotiations was carried on under new authority set forth in Public Law 86, 84th Congress. Safeguards for domestic industry are contained both in the escape clause and peril point provisions of this law and in the administrative procedures established thereunder. A detailed account of these negotiations is given in Section II.

The United States has also worked successfully through the General Agreement on Tariffs and Trade to obtain the reduction or elimination of quotas that have restricted United States export trade. These activities are described in Section III.

Section IV of this report covers actions under special legislative provisions affecting the trade agreements program—the "escape clause" and the "national security" amendment.

The final portion of this report, Section V, summarizes developments in our trading relations with those countries which are not parties to the

[1] Bulletin of Apr. 19, 1954, p. 602.

[2] *Ibid.*, Apr. 25, 1955, p. 678; Jan. 28, 1957, p. 124; Feb. 4, 1957, p. 165; and Feb. 11, 1957, p. 224. For text of agreement on proposed Organization for Trade Cooperation, see *ibid.*, Apr. 4, 1955, p. 577.

General Agreement but with which the United States has bilateral trade agreements.

Since this is the first Presidential report on a program that has been in effect for a number of years, the report is not limited to the 1956 calendar year but includes such earlier developments as are necessary to place recent events in perspective. Detailed accounts of individual actions taken under the trade agreements program are included in the Tariff Commission's annual report to the Congress.

Exports and imports are important to our economic strength and to the well-being of our people. International commerce is beneficial to the community of nations and conducive to the establishment of a just and lasting peace in the world. Our national trade policy, which seeks to promote the continued growth of mutually profitable world trade, is thus doubly in the self-interest of the United States; it furthers both our prosperity and our national security.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
February 11, 1957

TEXT OF REPORT

FIRST ANNUAL REPORT OF THE PRESIDENT OF THE UNITED STATES ON THE TRADE AGREEMENTS PROGRAM

Section I—Consolidation of Gains Made Under Trade Agreements Program

Review of the General Agreement

By 1954 the United States and the other contracting parties to the General Agreement on Tariffs and Trade had had more than six years of experience with its provisions. They were agreed that, on the whole, the multilateral system for handling trade problems had worked well and was much superior to the strict bilateral system. There was, however, a consensus that the General Agreement should be reviewed in the light of the experience gained. These views were shared by the United States. In addition, the President had urged renegotiation of the organizational provisions of the General Agreement and had announced that he would submit the resulting organizational proposals to the Congress for approval.

Accordingly, it was agreed that the ninth regular business session would be made the occasion for a review of the General Agreement. The Ninth Session was held at Geneva, Switzerland, from October 28, 1954 to March 7, 1955.[3]

The preparation of instructions for the United States delegation to the business sessions of the Contracting Parties has always been the responsibility of the Interdepartmental Committee on Trade Agreements, an interagency committee composed of representatives of the Departments of State, Commerce, Agriculture, Defense, Treasury, Interior, Labor, the International Cooperation Administration, and a member of the Tariff Commission. Through these agencies the interests of American agriculture, labor and business are taken into account in arriving at positions that will best serve the national interest. Executive agency members on the Trade Agreements Committee are the official representatives of their agencies. In special cases, as when preparing for the part of the Ninth Session devoted to the review of the General Agreement, a special interagency group is constituted at the Assistant Secretary level or higher to consider major policy questions. Before the President authorized the chairman of the United States delegation to sign the instruments resulting from the work of the Ninth Session, such a special committee made a final review of the documents.

All interested private groups and individuals were invited, orally or in writing, to submit their views regarding changes to be made in the General Agreement during public hearings held in Washington in September 1954.[4] These submissions showed widespread support for the multilateral approach to the trade agreements program and for the development of a more effective General Agreement.

The United States delegation to the Ninth Session included six persons from outside the Executive Branch to serve as advisers. Four came from the Congress and two from outside the Government. From the Senate, Senators Frank Carlson

[3] For a report of the ninth session, see *ibid.*, Mar. 21, 1955, p. 495.

[4] For a statement by Samuel C. Waugh at the opening of the review hearings, see *ibid.*, Sept. 27, 1954, p. 458; for a Department announcement and notices by the Interdepartmental Committee and the Committee for Reciprocity Information, see *ibid.*, Oct. 4, 1954, p. 508.

and Albert Gore were appointed; from the House, Representatives Jere Cooper and Richard Simpson. The two from outside the Government were Lamar Fleming, Jr., Chairman of the Board of Anderson, Clayton and Company, and Cola G. Parker, Chairman of the Board of the Kimberly-Clark Corporation. With the exception of one member who was held in Washington by other official duties, these advisers spent several weeks working directly with the United States Delegation in Geneva. They contributed substantially to the success achieved by the United States in the negotiations.

The main United States objectives at the Ninth Session were: (1) to provide a more effective organization for the administration of the General Agreement; (2) to extend the firm life of the tariff concessions negotiated under the General Agreement while at the same time assuring governments sufficient leeway for modifying individual concessions; (3) to make the provisions regulating the use of balance-of-payments import restrictions simpler and stronger; (4) to add standards on the use of export subsidies consistent with United States policy and practice, and thus to remove a source of friction; and (5) to revise the provisions permitting exceptional measures for economic development purposes.

Another objective was to obtain international agreement that any action which the United States might have to take under Section 22 of the Agricultural Adjustment Act to prevent imports from interfering with domestic agricultural programs would not be considered in contravention of United States obligations under the Agreement. In negotiating a separate agreement for an Organization for Trade Cooperation, the United States aimed for an arrangement to provide continuing and improved administration of the substantive provisions of the General Agreement on Tariffs and Trade.

The results of the Ninth Session were highly satisfactory to the United States. Greater stability in existing schedules of tariff concessions should result from changes that were made in the General Agreement. More effective and simpler balance-of-payments provisions were devised. These included special provisions to fit the needs of newly-developed countries. These revisions will enter into force when they have been accepted by the Contracting Parties to the General Agreement.

In addition, an Agreement on the Organization for Trade Cooperation was drafted. This Agreement has been submitted to the United States Congress for approval. The primary purpose of the Organization would be to administer the General Agreement on Tariffs and Trade. The functions of the Organization are described in the organizational agreement itself.

Full details of the results of the Ninth Session and of the Eighth Session during which the proposal for review of the General Agreement was initiated are contained in the reports of the Chairman of the United States Delegation which are attached as Appendices A and B.

Section II—Tariff Negotiations To Remove Barriers to Trade and Adjustments in Existing Concessions

Negotiations for the Accession of Japan to the General Agreement

Among the more important recent developments in international trade was the accession of Japan to the General Agreement in September, 1955.[5] Japan had participated in the Eighth Session of the Contracting Parties to the General Agreement on a provisional basis. Japanese accession marked a significant step in the reintegration of Japan into the world trading community.

Greater opportunity for Japan to participate in foreign trade, which Japanese accession to the General Agreement will promote, is essential if Japan is to have a sound, self-sustaining economy. Participation in the General Agreement by offering expanded trading opportunities to Japan not only lessens the danger of increased Japanese dependence on the Communist-dominated Asiatic mainland but also enlarges the number of potential free world markets available to the Japanese.

Negotiations looking toward Japanese accession began at Geneva, Switzerland, on February 21, 1955, and the final document was opened for signature on June 7, 1955. Seventeen countries, contracting parties to the General Agreement, negotiated with Japan. These countries were Burma, Canada, Chile, Denmark, Dominican Republic, Finland, Germany, Greece, Indonesia, Italy, Nicaragua, Norway, Pakistan, Peru, Sweden, United

[5] *Ibid.*, Aug. 8, 1955, p. 226, and Sept. 5, 1955, p. 397.

States and Uruguay. Complete details of all the concessions granted and received were published by the Department of State on June 1, 1955, in State Department publication 5881.[6]

A number of countries, parties to the General Agreement, which had not entered into negotiations with Japan exercised their rights under Article XXXV of the General Agreement not to undertake, *vis a vis* Japan, the obligations of the General Agreement, including the obligation to grant most-favored-nation treatment. The United States has continued to urge these countries to reconsider their decision and to enter into full General Agreement relationships with Japan. Approximately half of these countries, however, do accord Japan *de facto* most-favored-nation treatment even though not legally committed to do so.

During these tariff negotiations the United States Delegation was assisted by four public advisers:

Allan B. Kline, Western Spring, Illinois, former president of the American Farm Bureau Federation.

Bert Seidman, Washington, D.C., staff economist of the American Federation of Labor.

Russell G. Smith, San Francisco, executive vice president of the Bank of America, in charge of international operations.

Lawrence F. Whittemore, Concord, New Hampshire, board chairman of Brown Company, pulp and paper manufacturers.

The statement issued by these public advisors after completion of their assignment is attached as appendix C.

1956 Geneva Tariff Negotiations Conference.

In the early months of 1956 the United States participated in further multilateral tariff negotiations under the General Agreement on Tariffs and Trade.[7] This time, the United States was negotiating under the authority given the President by the Trade Agreements Extension Act of 1955. This Act granted authority to the President to reduce tariffs by 15 percent of existing rates in three annual stages. It also authorized the President to bring duties in excess of 50 percent ad valorem or its equivalent down to that level in gradual stages.

In the negotiations pursuant to this authority, the United States exchanged tariff concessions on a reciprocal basis with 21 countries (Australia, Austria, Belgium, Canada, Chile, Cuba, Denmark, Dominican Republic, Finland, France, Federal Republic of Germany, Haiti, Italy, Japan, Luxembourg, the Netherlands, Norway, Peru, Sweden, Turkey, and the United Kingdom). The participation of the High Authority of the European Coal and Steel Community in the negotiations was a significant innovation. The Community was authorized with regard to iron and steel tariffs to act as agent for the six member states (Belgium, France, Germany, Italy, Luxembourg, and the Netherlands). The details of these negotiations were published in June, 1956, in Department of State publication 6348.[8]

During this round of tariff negotiations public advisers to the United States delegation were:

Elliott V. Bell, editor and publisher of *Business Week* and Chairman of the Executive Committee of the McGraw-Hill Publishing Company, Inc.

Homer L. Brinkley, executive vice president of the National Council of Farmer Cooperatives.

Bryant Essick, president of the Essick Manufacturing Company, Los Angeles, California.

Stanley H. Ruttenberg, director of the Department of Research, American Federation of Labor–Congress of Industrial Organizations (AFL-CIO).

The statement of these public advisers issued upon completion of their work is attached as appendix D.[9]

Adjustment of existing tariff concessions

Since early 1955 other tariff negotiations have been carried on by the United States and several other countries to withdraw some existing tariff concessions that had been made under the General Agreement. These negotiations were held under the provisions of Article XXVIII of the General Agreement and pursuant to the procedures of the Declaration of March 10, 1955, under which participating countries agreed to continue the application of the existing schedules to the General Agreement on Tariffs and Trade. The negotiations were designed to maintain the general level

[6] For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. (35 cents).

[7] BULLETIN of Jan. 30, 1956, p. 184; May 14, 1956, p. 813; June 4, 1956, p. 941; and June 25, 1956, p. 1054 and p. 1062.

[8] For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. ($1).

[9] BULLETIN of May 14, 1956, p. 813.

of tariff concessions by granting new concessions for those which were changed.

Twenty-one countries have completed negotiations with the United States under these provisions. These are Italy, Peru, Union of South Africa, Turkey, India, Netherlands Antilles, New Zealand, Nicaragua, Pakistan, Austria, Ceylon, Cuba, the Netherlands, Sweden, Dominican Republic, Finland, France, Belgium, Canada, Greece and Germany. With three exceptions (the negotiations with Cuba, Netherlands Antilles and Peru), a very limited number of items was involved in each of these negotiations. In every case compensatory concessions were given for concessions which were withdrawn. Concessions were withdrawn on approximately 225 items of direct interest to the United States. In addition, in some of the other concessions being altered by negotiations between other countries, the United States was indirectly concerned because of its substantial trade interest in the affected items.

Because the trade data presented in connection with these negotiations varied according to the year adopted as the basis for negotiations, no precise over-all value can be given of the amount of trade affected by the concessions withdrawn or modified. Estimates indicate that the total trade affected by the modifications does not exceed $30 million on the basis of 1954 figures and that new compensatory concessions obtained cover approximately the same amount of trade.

In addition, on October 1, 1956, the United States exercised a right which had been reserved in the original GATT negotiations in 1947, limiting the reduced rates there negotiated on woolen fabrics to a quantity of imports equal in any calendar year to five percent of the average annual domestic production of similar fabrics for the preceding three calendar years.[10] Under the new arrangement, imports in any year up to a set figure (to be announced for each year after having been determined in accordance with the formula) will continue to enter under the rates of duty that have been in effect since the beginning of 1948, but any imports beyond that amount will pay the higher rates which were specified in the reservation. For the fourth quarter of 1956, the quota was set at 3.5 million pounds, one-quarter of a figure which in turn is not less than five percent of average annual domestic production of similar fabrics in the United States in the years 1953–55. No allocation was made within this quota, seasonally, by country or otherwise.

[10] *Ibid.*, Oct. 8, 1956, p. 555.

Section III—Reducing or Removing Quantitative Barriers to Trade

During the years of depression in the 1930's and increasingly after World War II, many nations resorted to exchange controls and to the establishment of quotas on imports for the protection of their balance-of-payments positions and for other reasons. In recent years, as balance-of-payments positions have improved, the United States has intensified its efforts to obtain the relaxation or removal of such restrictions.

The General Agreement on Tariffs and Trade has been of major value in these efforts. In becoming contracting parties to the General Agreement, nations agreed, as their balance-of-payments positions and the level of their gold and dollar reserves improved, to reduce and ultimately to eliminate balance-of-payments restrictions. These international obligations provide a basis for discussions during sessions of the Contracting Parties to the General Agreement. They also add weight to the representations which the United States makes to other countries through traditional diplomatic channels.

The result has been a substantial relaxation of quantitative restrictions on imports of United States goods. There has also been an encouraging tendency on the part of countries in balance-of-payments difficulties to seek a solution of their external financial problems through measures other than the imposition of quotas on imports. For example, in recent years the United Kingdom, to alleviate its external payments difficulties, resorted to internal monetary and fiscal measures in order to reduce the inflationary pressures which have been adversely affecting the United Kingdom's balance-of-payments and foreign exchange position. When the Suez Canal crisis brought new pressures on sterling, the United Kingdom again evidenced its determination to avoid new quantitative restrictions. In December of 1956 it arranged to borrow up to 1.3 billion dollars from the International Monetary Fund.[11] In announcing the arrangement, the Fund indicated that the British decision to avoid new restrictions on trade

[11] *Ibid.*, Jan. 7, 1957, p. 28.

and payments was an important factor in the Fund's agreeing to a drawing of this magnitude.

How business sessions under the General Agreement are used to reduce quantitative restrictions:

There are three procedural methods available to the United States at the regular sessions of the General Agreement for encouraging the reduction or removal of restrictions against American trade.

1. There are the formal multilateral consultations, conducted by the parties to the Agreement, to examine a country's balance-of-payments restrictions in the light of its financial situation, and to explore how the effects of the restrictions on other countries can be eased. In the past, only the countries which apply discriminatory restrictions under an optional provision of the Agreement (in 1956 Australia, Ceylon, the Federation of Rhodesia and Nyasaland, New Zealand and the United Kingdom) have been required to consult annually whereas other countries have consulted only if they intensified restrictions. When the pending amendments to the General Agreement enter into force, however, all countries maintaining balance of payments restrictions will be required to consult regularly—the developed countries annually, the underdeveloped countries every other year. In the interim, as a means of filling the gap, a greatly enlarged program of consultation will be carried out in 1957, the Contracting Parties having approved, at the Eleventh session, a United States proposal that countries still restricting imports for financial reasons be invited to consult before the end of the next session.

2. The United States, on its own initiative, conducts bilateral consultations during each session with a selected group of countries, taking advantage of the presence of trade experts from these countries at the session and of the constructive and cooperative atmosphere which typically prevails. These bilateral consultations do not involve discussion of such broad issues as general financial developments. Rather, they are directed at examining the effect of the restrictions upon trade in specific products of interest to the United States and on the possibilities for increasing trade in these products.

3. There is the "complaints" procedure of the General Agreement. Under this procedure the United States can bring a case against the country imposing unwarranted restrictions on United States trade and can seek a recommendation from the Contracting Parties for action that will help to obtain a relaxation or removal of those restrictions. The United States normally does this as a last resort, where diplomatic representations or the procedures outlined above have not yielded the desired result.

The actions taken at the Tenth Session of the Contracting Parties (October 27–December 3, 1955) and at the Eleventh Session of the Contracting Parties (October 11–November 17, 1956) to obtain the relaxation of balance-of-payments restrictions illustrate the use of these three devices.[12] (The complete reports of the Chairman of the United States Delegation to the Tenth and Eleventh Sessions are attached as Appendices E and F.)

At these sessions, formal multilateral consultations took place with Australia, Ceylon, the Federation of Rhodesia and Nyasaland, New Zealand, and the United Kingdom, the five countries which have been required to consult annually. These consultations were organized along new lines evolved during 1955, which greatly enhanced their value in pointing up the difficulties which the restrictions create for exporting countries and in determining whether there is a need for the existing level of import restrictions. At the Eleventh Session, each country was able to report some progress towards the reduction of discrimination against dollar goods, Ceylon in particular having arrived at a state of virtually complete non-discrimination.

During the Tenth Session, the United States Delegation discussed bilaterally with the Delegations of nine other participating countries specific trade problems which had arisen from the administration of quota restrictions. At the Eleventh Session, similar consultations were held with 13 countries. These discussions were extremely useful in making other governments aware of the problems created for particular United States industries by the maintenance of import restrictions and in obtaining certain assurances that action to ease the restrictions would be taken or considered.

During the Tenth Session, the Contracting Parties considered the complaint of the United

[12] For a review of the tenth session, see *ibid.*, Dec. 19, 1955, p. 1016; for a review of the eleventh session, see *ibid.*, Dec. 3, 1956, p. 893.

States that certain regulations of the Federal Republic of Germany had the effect of limiting imports of coal from the United States. This item had been carried over from the Ninth Session. The United States withdrew the complaint early in the Tenth Session, after West Germany had relaxed appreciably its restrictions on imports of coal from the United States. Coal was placed on the dollar-free list in June 1956, and can now be imported into West Germany without restriction.

Effective use of the procedures together with an improvement in world economic conditions have thus resulted in a substantial relaxation of quantitative restrictions against imports from the United States. This has been particularly true since 1953. Appendix G summarizes, country by country, the progress made from July 1, 1953 through December 31, 1956.

Section IV—Special Legislative Provisions: "Escape Clause" and "National Security"

The escape clause case in this period that affected the largest amount of trade was that relating to bicycles. A majority of the Trade Commission found that the domestic industry was being injured by imports and this finding was accepted by the President though the duty was not increased by the full amount recommended. In this case the President pointed out that, in addition to taking into account the Tariff Commission's findings and recommendations, other factors to be considered were (1) the protection of American consumers against unnecessary and unjustified price increases, (2) the building of export markets for the products of our farms, factories, and mines, (3) our national security interest in the economic strength of other countries, and (4) our obligation under our trade agreement commitments to compensate nations affected by the withdrawal of concessions previously granted by us.[13]

On January 18, 1956, the Tariff Commission made a divided report on acid-grade fluorspar. Three of the Commissioners found that a threat of serious injury to the domestic industry from imports existed, and recommended that the duty be increased from $2.10 to $5.60 per long ton. The three other Commissioners found no threat of serious injury to the domestic industry from imports. In cases where the Tariff Commission splits 3–3, the law authorizes the acceptance of either finding as the finding of the Commission. In this case the President accepted the finding that the domestic acid-grade fluorspar industry was not being threatened with serious injury by increased imports.[14] The fluorspar "escape clause" case was separate and distinct from the domestic industry's application before the Office of Defense Mobilization for relief under the "national security" amendment to the Trade Agreements Extension Act of 1956.

In a case on linen toweling, the Tariff Commission found that the domestic industry was being injured by imports. It recommended that the duty on toweling of flax, hemp, or ramie, dutiable under tariff paragraph 1010 of the Tariff Act of 1930, be increased from 10 to 40 percent ad valorem in order to remedy the injury. The recommendation was accepted.[15]

On June 14, 1956, the Commission made a divided report on paraaminosalicylic acid and salts. Three Commissioners found that the industry was being injured by imports and recommended that the duty be increased from 3/5 cents per pound plus 25 percent ad valorem, to 5 cents per pound plus 35 percent ad valorem. The other three Commissioners found no injury. The President on August 10, 1956 accepted the finding that the industry was not being injured.[16]

On November 13, 1956 the President rejected a recommendation of the Tariff Commission that the duty on ferrocerium (lighter flints) and all other cerium alloys should be increased 100 percent.[17] The President's letter to the Chairmen of the Senate Finance and House Ways and Means Committees pointed out that he did not find sound evidence that the difficulties of the United States industry are due to imports.

On October 12, 1956 the Tariff Commission recommended to the President that those imports of groundfish fillets presently dutiable at 1⅞ cent per pound should be dutiable at 2.8125 cents per pound, and that those dutiable at 2½ cents per pound should be dutiable at 3.75 cents per pound. On December 10, 1956 the President, citing steps

[13] *Ibid.*, Sept. 5, 1955, p. 399.

[14] *Ibid.*, Apr. 2, 1956, p. 569.

[15] *Ibid.*, July 16, 1956, p. 115.

[16] *Ibid.*, Aug. 20, 1956, p. 321.

[17] *Ibid.*, Dec. 3, 1956, p. 888.

already taken by the Federal Government to aid the groundfish fillet industry and expressing his doubts that a tariff increase would resolve the industry's basic problems, rejected the Tariff Commission recommendation.[18] He also cited the fact that the other nations concerned are our close friends and that their economic strength is of strategic importance to us in the continuing struggle against the menace of world communism.

On October 24 the Commission found that imports of velveteen fabrics were causing serious injury to the domestic industry. The Commission recommended that the duty on imports of plain-back velveteens be increased from 25% ad valorem to 46⅞%, and that the duty on imports of twillback velveteens be increased from the present duty of 25 cents a square yard but not less than 22½% nor more than 30% ad valorem to 56¼% ad valorem. One Commissioner dissented from the recommendation and recommended an increase to 44% ad valorem for both types of velveteens. On December 21, 1956 the President informed the Chairman of the Senate Finance and House Ways and Means Committees [19] that the Executive Branch was giving the Tariff Commission's report intensive consideration but because of the nature of the issues involved would require more time than the customary sixty-day period.[20]

In addition to those discussed above, five escape-clause cases are pending. They relate to violas and violins, gingham,[21] straight pins, and safety pins, and certain jute fabrics.

The law provides that escape clause action shall remain in effect for the time necessary to prevent or remedy injury. Under an Executive Order, the Tariff Commission is required to keep under review developments regarding products on which escape clause actions have been taken and to make periodic reports concerning such developments. Since July 1, 1955, the Commission has made such reports on women's fur felt hats and hat bodies, hatter's fur, dried figs, and watches and parts. In each case the Commission found there was no sufficient reason to re-investigate the actions taken with respect to these commodities and the President has concurred.

National Security and Trade Expansion

Section 7 of the Trade Agreements Extension Act of 1955 gives the Director of the Office of Defense Mobilization specific instructions to advise the President whenever he has reason to believe that any article is being imported into the United States in such quantities as to threaten to impair the national security. If, after an investigation, the President finds that such a threat does exist, he is authorized to take "such action as he deems necessary to adjust the imports of such articles to a level that will not threaten to impair the national security."

On February 26, 1955, a date prior to the passage of the Trade Agreements Extension Act of 1955 recommendations regarding imports of crude oil and residual oil were made to the President by his Advisory Committee on Energy Supplies and Resources Policy under the chairmanship of the Director of the Office of Defense Mobilization.[22] The Director of the Office of Defense Mobilization at that time requested the oil importing companies on a voluntary individual basis to keep their imports to the levels recommended by the Committee. The Advisory Committee on October 17, 1956, reaffirmed the import standard set in 1955. In response to a petition filed under Section 7 by a group of petroleum associations, the Office of Defense Mobilization held a public hearing on the oil import problem on October 22, 1956. On December 4, 1956 the Director of the Office of Defense Mobilization announced that because of the situation in the Middle East he had suspended action on the petroleum petition. In making this announcement, he stated that the import programs of the importing companies that had been filed with the Office of Defense Mobilization showed that if the plans the importers had formulated for 1957 had been carried out that they would have been contrary to the recommendations of the Committee and would have constituted a threat to the national security that would have left him no

[18] *Ibid.*, Jan. 4, 1957, p. 55.

[19] *Ibid.*, Jan. 21, 1957, p. 105.

[20] On January 22, 1957 the President announced that in view of an announcement by Japan of a broad program for the control of Japan's cotton textile exports to the United States, he had decided not to take action on the Tariff Commission's recommendations in the cotton velveteen escape clause case. (Footnote in original; see *ibid.*, Feb. 11, 1957, p. 218.)

[21] On January 29, 1957 the Tariff Commission announced that it had discontinued and dismissed the investigation on gingham at request of the applicants. (Footnote in original.)

[22] *Ibid.*, Mar. 21, 1955, p. 487.

course but to make a certification to the President under Section 7 of the Trade Agreements Extension Act of 1955.

At the end of the year, the Office of Defense Mobilization was considering petitions for restrictions upon imports under the "national security" amendment from United States industries manufacturing cordage, jewelled watches, clocks and pin-lever watches, analytical balances, thermometers (clinical fever), wool felt, wool textiles, and wooden boats. A public hearing has been held on cordage. A hearing on jewelled watches and clocks and pin-lever watches was scheduled for January 7, 1957. A hearing on fluorspar was cancelled at the request of the industry.

Section V—Development Under Bilateral Agreements

Trade relations between the United States and Argentina, El Salvador, Honduras, Iceland, Iran, Paraguay, Switzerland, and Venezuela—all of them not contracting parties to the General Agreement on Tariffs and Trade—continued to be governed by bilateral trade agreements entered into under the trade agreements legislation.

A supplementary trade agreement with Switzerland was signed on June 8, 1955.[23] This provided additional tariff concessions by the United States to compensate Switzerland for an increase in United States rates of duty on imports of certain watches and watch movements. This increase in rates was put into effect on July 27, 1954, as the result of Presidential action on an escape clause recommendation by the Tariff Commission.[24]

An exchange of notes with Iceland on March 5 and 6, 1956, embodied an agreement to withdraw the item "tuna, canned in brine" from a United States concession on canned fish granted in the 1943 trade agreement between the two countries. Concurrently the United States invoked a right reserved in negotiations with Japan at the time of the latter's accession to the General Agreement in 1955 to increase the duty on imports of tuna, canned in brine,[25] which exceed 20 percent of the domestic production of canned tuna. In the future the duty on tuna canned in brine will automatically be increased from 12.5 percent ad valorem to 25 percent ad valorem on those imports in any year in excess of 20 percent of the domestic production of canned tuna during the preceding year.

A bilateral trade agreement with Guatemala was terminated on October 14, 1955, by mutual consent.[26] Guatemala was experiencing difficulty in giving full effect to the terms of the agreement. At the time of the termination the Guatemalan Government said it was considering adherence to the General Agreement on Tariffs and Trade and that a detailed study to that end would be made.

The United States and Ecuador also mutually agreed to a termination of their bilateral trade agreement effective July 16, 1956. This developed from Ecuador's inability to maintain the tariff rates granted in the agreement.

Pursuant to Section 6 of the Trade Agreements Extension Act of 1951, the United States has negotiated to incorporate into existing bilateral trade agreements "escape clause" provisions complying with the requirements of this Section. Upon termination of the agreement with Ecuador, there remained only two United States bilateral agreements that do not contain escape clauses. These two are with El Salvador and Honduras. As set forth in the report of the President to the Congress on Trade Agreements Escape Clause (July 10, 1952), no action has been taken with regard to these two bilateral agreements because it is believed that any move in that direction would lead to an attempt to renegotiate the entire agreements and would result in a less satisfactory situation than now exists.

[23] *Ibid.*, June 27, 1955, p. 1056.
[24] *Ibid.*, Aug. 23, 1954, p. 274.
[25] *Ibid.*, Apr. 16, 1956, p. 654.

Congressional Documents Relating to Foreign Policy

85th Congress, 1st Session

Study of Emigration of Refugees and Escapees. Report to accompany S. Res. 53. S. Rept. 26, January 25, 1957. 2 pp.

Study of Foreign Technical-Assistance Programs. Report to accompany S. Res. 60. S. Rept. 37, January 28, 1957. 2 pp.

Investigations of the Subcommittee on Disarmament. Report to accompany S. Res. 61. S. Rept. 38, January 28, 1957. 2 pp.

United States Aid Operations in Iran. First report by the House Committee on Government Operations. H. Rept. 10, January 28, 1957. 61 pp.

[26] *Ibid.*, Oct. 10, 1955, p. 577, and Oct. 31, 1955, p. 695.

Calendar of Meetings[1]

Adjourned During February 1957

North Pacific Fur Seal Conference	Washington	Nov. 28, 1955–Feb. 9, 1957
ICAO Panel on Future Requirements of Turbo-jet Aircraft: 2d Meeting.	Montreal	Jan. 21–Feb. 1
FAO/ECE International Consultation on Insulation Board, Hardboard, and Particle Board.	Geneva	Jan. 21–Feb. 5
WMO Regional Association I (Africa): 2d Session	Las Palmas, Canary Islands.	Jan. 21–Feb. 9
UNREF Executive Committee: 4th Session	Geneva	Jan. 29–Feb. 2
UPU Executive and Liaison Committee: Airmail Subcommittee	Luxor, Egypt	Jan. 29–Feb. 7
OEEC Ministerial Meeting	Paris	Feb. 12–13
International Atomic Energy Agency Preparatory Commission: 2d Meeting.	New York	Feb. 13 and 21 (1 day each)
U.N. ECAFE Inland Transport Committee: 6th Session	Bangkok	Feb. 15–21
UNESCO Intergovernmental Advisory Committee for the Major Project on the Extension of Primary Education in Latin America: 1st Meeting.	Habana	Feb. 18–20
International Rubber Study Group: Management Committee	London	Feb. 21 (1 day)
FAO Consultative Committee on Desert Locust Control in the Ethiopian Region.	Addis Ababa	Feb. 25–28

In Session as of February 28, 1957

U.N. General Assembly: 11th Session	New York	Nov. 12, 1956–
SEATO Study Group on Skilled Labor Shortage: 2d Meeting	Bangkok	Feb. 15–
U.N. ECOSOC Subcommission on Prevention of Discrimination and Protection of Minorities: 9th Session.	New York	Feb. 18–
U.N. Trusteeship Council: Standing Committee on Petitions	New York	Feb. 18–
ICAO Technical Panel on Teletypewriter	Montreal	Feb. 19–
ILO Governing Body: 134th Session (and Committees)	Geneva	Feb. 25–
U.N. ECE Working Party on Gas Problems: 2d Session	Geneva	Feb. 25–
U.N. ECOSOC Population Commission: 9th Session	New York	Feb. 25–

Scheduled March 1–May 31, 1957

U.N. ECOSOC Committee on Nongovernmental Organizations	New York	Mar. 4–
International Sugar Council: 12th Session	London	Mar. 6–
FAO Committee on Relations with International Organizations	Rome	Mar. 7–
U.N. ECAFE Industry and Trade Committee: 9th Session	Bangkok	Mar. 7–
UNESCO Executive Committee: Preliminary *Ad Hoc* Meeting	Paris	Mar. 10–
U.N. Trusteeship Council: 19th Session	New York	Mar. 10–
FAO *Ad Hoc* Intergovernmental Meeting on Wheat and Coarse Grains	Rome	Mar. 11–
ILO Inland Transport Committee: 6th Session	Hamburg	Mar. 11–
9th Pakistan Science Conference	Peshawar, West Pakistan.	Mar. 11–
SEATO Council: 3d Meeting	Canberra, Australia	Mar. 11–
ICAO Aerodromes, Air Routes, and Ground Aids Division: 6th Session.	Montreal	Mar. 12–

[1] Prepared in the Office of International Conferences, Feb. 15, 1957. Asterisks indicate tentative dates. Following is a list of abbreviations: U.N., United Nations; ICAO, International Civil Aviation Organization; FAO, Food and Agriculture Organization; ECE, Economic Commission for Europe; WMO, World Meteorological Organization; UNREF, United Nations Refugee Fund; UPU, Universal Postal Union; OEEC, Organization for European Economic Cooperation; SEATO, Southeast Asia Treaty Organization; ECAFE, Economic Commission for Asia and the Far East; UNESCO, United Nations Educational, Scientific and Cultural Organization; ECOSOC, Economic and Social Council; ILO, International Labor Organization; ICEM, Intergovernmental Committee for European Migration; UNICEF, United Nations Children's Fund; ITU, International Telecommunication Union; NATO, North Atlantic Treaty Organization; WHO, World Health Organization; PAIGH, Pan American Institute of Geography and History.

Calendar of Meetings—*Continued*

Scheduled March 1–May 31, 1957—*Continued*

UNESCO Executive Board: 47th Session	Paris	Mar. 15–
FAO Committee on Commodity Problems: 28th Session	Rome	Mar. 18–
U.N. Disarmament Commission: Subcommittee of Five	London	Mar. 18–
U.N. Economic Commission for Asia and the Far East: 13th Session	Bangkok	Mar. 18–
U.N. ECE Coal Committee	Geneva	Mar. 18–
U.N. ECOSOC Commission on Status of Women: 11th Session	New York	Mar. 18–
FAO Cocoa Study Group: Statistical Subcommittee	Rome	Apr. 1–
ILO Advisory Committee on Salaried Employees and Professional Workers: 4th Session.	Geneva	Apr. 1–
UPU Executive and Liaison Committee	Lausanne	Apr. 1–
FAO Special Committee on Observer Status	Rome	Apr. 2–
ICEM Executive Committee: 6th Session	Geneva	Apr. 2–
FAO Cocoa Study Group: Executive Committee	Rome	Apr. 4–
ICEM Council: 6th Session	Geneva	Apr. 8–
U.N. Scientific Committee on the Effects of Atomic Radiation: 3d Meeting.	Geneva	Apr. 8–
5th Regional Conference of Asian Statisticians (in cooperation with FAO).	Bangkok	Apr. 8–
UNICEF Executive Board and Program Committee	New York	Apr. 8–
U.N. ECOSOC Human Rights Commission: 13th Session	Geneva	Apr. 8–
ILO Tripartite Working Party on Wages, Hours of Work, and Manning on Board Ship.	Geneva	Apr. 11–
United States World Trade Fair	New York	Apr. 14–
U.N. Economic and Social Council: 23d Session	New York	Apr. 16–
Inter-American Commission of Women: Meeting of Technical Experts and Administrative Heads of Women's Labor Bureaus.	México, D. F	Apr. 20–
Pan American Institute of Geography and History: 4th Pan American Consultation on History.	Cuenca, Ecuador	Apr. 21–
FAO International Poplar Commission: 9th Session	Paris	Apr. 22–
FAO International Poplar Congress	Paris	Apr. 22–
European Civil Aviation Conference: 2d Meeting	Madrid	Apr. 24–
9th ILO International Conference of Labor Statisticians	Geneva	Apr. 24–
U.N. ECE Steel Committee and Working Parties	Geneva	Apr. 24–
ICAO Legal Committee: Subcommittee on Hire, Charter, and Interchange of Aircraft.	Montreal	Apr. 29
U.N. Economic Commission for Europe: 12th Session	Geneva	Apr. 29–
U.N. ECOSOC Narcotic Drugs Commission: 12th Session	New York	Apr. 29–
Inter-American Presidential Representatives: 3d Meeting	Washington	Apr. 29–*
ITU Administrative Council: 12th Session	Geneva	Apr. 29–
South Pacific Commission: Conference on Review of Commission and Intergovernmental Modification of Agreement.	Canberra, Australia	Apr. 30–
Inter-American Travel Congresses: Permanent Executive Committee	Lima	April
International Commission on Irrigation and Drainage: 3d Congress	San Francisco	May 1–
10th International Cannes Film Festival	Cannes	May 2–
NATO Council: Ministerial Meeting	Bonn	May 2–
FAO Technical Meeting on Soil Fertility for Latin America	Costa Rica	May 6–
ILO Metal Trades Committee: 6th Session	Geneva	May 6–
U.N. Economic Commission for Latin America: 7th Session	La Paz	May 6–
U.N. ECOSOC International Commission on Commodity Trade: 5th Session.	New York	May 6–
U.N. ECOSOC Social Commission: 11th Session	New York	May 6–
FAO European Forestry Commission: 9th Session	Rome	May 7–
WHO: 10th World Health Assembly	Geneva	May 7–
7th International Hydrographic Bureau Congress	Monte Carlo	May 7–
Inter-American Atomic Energy Symposium	Upton, N. Y.	May 13–
FAO Committee on Financial Control: 23d Session	Rome	May 13–*
FAO Indo-Pacific Fisheries Council: 7th Session	Bandung	May 13–
U.N. ECAFE Highway Subcommittee: Seminar on Highway Safety	Tokyo	May 13–
U.N. ECE Electric Power Committee: Working Party on Statistics	Geneva	May 16–
International Cotton Advisory Committee: 16th Plenary Meeting	Istanbul	May 20–
Customs Cooperation Council	Brussels	May 27–
International Commission for Northwest Atlantic Fisheries: 7th Meeting.	Lisbon	May 27–
WHO Executive Board: 20th Session	Geneva	May 27–
U.N. ECE Housing Committee: 14th Session and Working Parties	Geneva	May 27–
ILO Governing Body: 135th Session	Geneva	May 27–*
ICAO Panel on Future Requirements for Turbo-jet Aircraft: 3d Meeting.	Montreal	May
Caribbean Commission: 24th Meeting.	(undetermined)	May
PAIGH Directing Council: 2d Meeting	Rio de Janeiro	May

MEMBERSHIP OF EUROPEAN COUNTRIES IN REGIONAL AND U. N. ORGANIZATIONS February 1, 1957

	Countries	North Atlantic Treaty Organization	Organization for European Economic Cooperation	European Payments Union	Western European Union	European Coal and Steel Community	Council of Europe	Economic Commission for Europe	Balkan Pact	United Nations
Overseas	(United States)	●	○					●		●
	(Canada)	●	○							●
Western European	Belgium	●	●	●	●	●	●	●		●
	France	●	●	●	●	●	●	●		●
	German Federal Republic	●	●	●	●	●	●	●		
	Italy	●	●	●	●	●	●	●		●
	Luxembourg	●	●	●	●	●	●	●		●
	Netherlands	●	●	●	●	●	●	●		●
	United Kingdom	●	●	●	●	○	●	●		●
	Denmark	●	●	●			●	●		●
	Iceland	●	●	●			●	●		●
	Norway	●	●	●			●	●		●
	Portugal	●	●	●				●		●
	Greece	●	●	●			●	●	●	●
	Turkey	●	●	●			●	●	●	●
Neutrals	Yugoslavia							●	●	●
	Ireland		●	●			●	●		●
	Sweden		●	●			●	●		●
	Switzerland		●	●				●		
	Austria		●	●				●		●
Soviet Bloc	Soviet Union							●		●
	Poland							●		●
	Czechoslovakia							●		●
	Hungary							●		●
	Rumania							●		●
	Bulgaria							●		●

● Membership. ○ Informal Association.

MEMBERSHIP IN REGIONAL AND U.N. ORGANIZATIONS IN SOUTH ASIA, THE FAR EAST, AND THE PACIFIC February 1, 1957

Countries and territories	United Nations	Economic Commission for Asia and the Far East	Colombo Plan	Southeast Asia Treaty Organization	U. N. Command in Korea	U. N. Commission for Unification and Rehabilitation of Korea	Australia, New Zealand, United States Security Treaty	Baghdad Pact	Aid under U. S. Mutual Security Act
Australia	●	●	●	●	●		●		
Burma	●	●							
Cambodia	●	●		●					
Ceylon	●	●	●						
China (Nationalist)	●	●			●				
India	●	●	●						
Indonesia	●	●							
Japan	●	●	●		●				
Korea	●	●				●			
Laos	●	●		●					
Nepal	●	●							
New Zealand	●	●	●	●	●		●		
Pakistan	●	●	●	●				●	
Philippines	●	●		●	●				
Thailand	●	●		●					
Vietnam	●	●		●					

Bulgaria . . . . . ● ●

● Membership. ○ Informal Association.

MEMBERSHIP IN REGIONAL AND U.N. ORGANIZATIONS IN SOUTH ASIA, THE FAR EAST, AND THE PACIFIC February 1, 1957

Countries and territories	United Nations	Economic Commission for Asia and the Far East [2]	Colombo Plan [3]	Southeast Asia Treaty Organization	U. N. Command in Korea [4]	U. N. Commission for Unification and Rehabilitation of Korea [5]	Australia, New Zealand, U. S. Treaty	Baghdad Pact [6]	Aid under U. S. Mutual Security Program [7]
Afghanistan	●	●							T
Australia	●	●	●	●	●	●	●		
Burma	●	●	●						
Cambodia	●	●	●	□					TMD
Ceylon	●	●	●						TE
Republic of China [1]	●	●							TMD
France	●	●		●	●				M
India	●	●	●						TE
Indonesia	●	●	●						TE
Japan [1]	●	●	●						TM
Republic of Korea [1]		●			●				TMD
Laos	●	●	●	□					TMD
Malaya and British Borneo		○	●	*					
Nepal	●	●	●						TE
Netherlands	●	●				●			M
New Zealand	●	●	●	●	●		●		
Pakistan	●	●	●	●		●		●	TMD
Philippines [1]	●	●	●	●		●			TMD
Thailand	●	●	●	●	●	●			TMD
U. S. S. R	●	●							
United Kingdom	●	●	●	●	●			●	
United States	●	●	●	●	●		●	○	
Republic of Viet-Nam		●	●	□					TMD

● Membership. ○ Informal association. □ Covered in a protocol to SEATO agreement. *Included in treaty area as colonies of the United Kingdom.

[1] Countries which have concluded bilateral mutual defense treaties with U. S.
[2] Hong Kong is also associated.
[3] Consultative Committee for Economic Development in South and Southeast Asia. (Canada is also a member.)
[4] Belgium, Canada, Colombia, Ethiopia, Greece, Luxembourg, the Netherlands, the Philippines, Turkey, and the Union of South Africa also sent troops to Korea.
[5] Chile and Turkey are also members.
[6] Iran, Iraq, and Turkey are also members.
[7] T—Technical Cooperation, M—Military Assistance, D—Defense Support, E—Developmental Assistance.

U.S., Canada, Japan, and U.S.S.R. Sign Fur Seal Convention [1]

The North Pacific Fur Seal Conference came to a successful close in Washington on February 9 with the signing of the Interim Convention for the Conservation of North Pacific Fur Seal Herds. The convention is the result of extensive negotiations by delegations of Canada, Japan, the Union of Soviet Socialist Republics, and the United States of America, which began discussions on November 28, 1955.

There are about 1,600,000 fur seals in the North Pacific Ocean. Indiscriminate killing of seals would soon reduce their numbers sharply and perhaps jeopardize their existence. This was demonstrated in the late 19th century when the herds, whose numbers in the 1860's had reached almost 2,000,000, fell to about 200,000 head in 1911 after commercial hunters had relentlessly pursued them. Under the four-power Fur Seal Convention of 1911, Canada, Japan, Russia, and the United States prohibited their nationals from hunting the seals at sea. As a result, the populations rose to 1,600,000 by 1941 when the 1911 convention was terminated. Meanwhile during this 30-year period over a million skins were harvested on the breeding islands by the governments having control of them. The present convention will reinstitute multilateral conservation by the four North Pacific powers.

The fur seal spends 9 months each year at sea, 3 months on land. Migrating each winter to waters as far south as the latitude of San Francisco and Tokyo, the herds, beginning in June, return to three island groups in the far north—the Pribilof Islands off Alaska and the Commander Islands and Robben Island off the Asian coast. Here they remain for 3 months on the shingle beaches while the pups are born and are prepared for life at sea, even having to learn to swim during this time. In September the seals begin to leave for their 9-month journey southward. By October the islands are again bare.

The seal is a polygamous creature. One bull may have a harem of as many as 50 females. For the needs of the fur industry the practice has, therefore, been to take the surplus males. Usually 3-year-old males are taken, the pelage being then at its prime. The killing is done on the Asian islands by the Government of the U.S.S.R. and on the Pribilof Islands by the United States Government.

The convention provides among other things for:

1. the establishment of a North Pacific Seal Commission of four members, one from each of the signatories;

2. a 6-year cooperative research program;

3. the prohibition of pelagic sealing (seal hunting at sea), except to a specified extent for research purposes;

4. boarding and search of vessels at sea in suspicious circumstances and arrest of vessels and crews upon reasonable belief of seal hunting with trial in the country of the flag of the vessel;

5. the enactment and enforcement by the parties of such legislation and the application of such measures as may be necessary to guarantee the observance of the convention; and

6. a sharing of the land kill such that Canada and Japan receive each year from the U.S.S.R. and the U.S.A. 15 percent of the sealskins taken on the islands by the latter two Governments.

The convention will enter into effect upon the deposit of ratifications in Washington by the four signatories. It will continue in effect for 6 years, although in certain circumstances the term may vary from 6 years. The parties agree to hold a

[1] Released to the press by the North Pacific Fur Seal Conference on Feb. 9.

meeting toward the close of the research program to determine what more permanent arrangements may be necessary for the conservation of the herds.

The text of the convention follows.

INTERIM CONVENTION ON CONSERVATION OF NORTH PACIFIC FUR SEALS

The Governments of Canada, Japan, the Union of Soviet Socialist Republics, and the United States of America,

Desiring to take effective measures towards achieving the maximum sustainable productivity of the fur seal resources of the North Pacific Ocean so that the fur seal populations can be brought to and maintained at the levels which will provide the greatest harvest year after year, with due regard to their relation to the productivity of other living marine resources of the area,

Recognizing that in order to determine such measures it is necessary to conduct adequate scientific research on the said resources, and

Desiring to provide for international cooperation in achieving these objectives,

Agree as follows:

ARTICLE I

1. The term "pelagic sealing" is hereby defined for the purposes of this Convention as meaning the killing, taking, or hunting in any manner whatsoever of fur seals at sea.

2. The words "each year", "annual" and "annually" as used hereinafter refer to Convention year, that is, the year beginning on the date of entry into force of the Convention.

3. Nothing in this Convention shall be deemed to affect in any way the position of the Parties in regard to the limits of territorial waters or to the jurisdiction over fisheries.

ARTICLE II

1. In order to realize the objectives of this Convention, the Parties agree to coordinate necessary scientific research programs and to cooperate in investigating the fur seal resources of the North Pacific Ocean to determine:

(a) what measures may be necessary to make possible the maximum sustainable productivity of the fur seal resources so that the fur seal populations can be brought to and maintained at the levels which will provide the greatest harvest year after year; and

(b) what the relationship is between fur seals and other living marine resources and whether fur seals have detrimental effects on other living marine resources substantially exploited by any of the Parties and, if so, to what extent.

2. The research referred to in the preceding paragraph shall include studies of the following subjects:

(a) size of each fur seal herd and its age and sex composition;

(b) natural mortality of the different age groups and recruitment of young to each age or size class at present and subsequent population levels;

(c) with regard to each of the herds, the effect upon the magnitude of recruitment of variations in the size and the age and sex composition of the annual kill;

(d) migration routes of fur seals and their wintering areas;

(e) numbers of seals from each herd found on the migration routes and in wintering areas and their ages and sexes;

(f) extent to which the food habits of fur seals affect commercial fish catches and the damage fur seals inflict on fishing gear; and

(g) other subjects involved in achieving the objectives of the Convention, as determined by the Commission established under Article V, paragraph 1.

3. In furtherance of the research referred to in this Article, each of the Parties agrees to carry out, each year after the entry into force of the Convention, the programs set forth in the Schedule annexed to the Convention with any modifications thereof made pursuant to Article V, paragraph 3. The said Schedule, together with any such modifications, shall be considered an integral part of this Convention.

4. Each Party agrees to provide the Commission annually with information on:

(a) number of black pups tagged for each breeding area;

(b) number of fur seals, by sex and estimated age, taken at sea and on each breeding area; and

(c) tagged seals recovered on land and at sea; and, so far as is practicable, other information pertinent to scientific research which the Commission may request.

5. The Parties further agree to provide for the exchange of scientific personnel; each such exchange shall be subject to mutual consent of the Parties directly concerned.

6. The Parties agree to use for the scientific pelagic research provided for in this Article only government-owned or government-chartered vessels operating under strict control of their respective authorities. Each Party shall communicate to the other Parties the names and descriptions of vessels which are to be used for pelagic research.

ARTICLE III

In order to realize the purposes of the Convention, including the carrying out of the coordinated and cooperative research, each Party agrees to prohibit pelagic sealing, except as provided in Article II, paragraph 3 and the Schedule, in the Pacific Ocean north of the 30th parallel of north latitude including the seas of Bering, Okhotsk, and Japan by any person or vessel subject to its jurisdiction.

ARTICLE IV

1. Each Party shall bear the expense of its own research. Title to sealskins taken during the research shall vest in the Party conducting such research.

2. If the total number of seals of the Commander Islands breeding grounds decreases and falls below 50,000 head, according to data in official records, then commercial killing of seals and apportionment of skins may

be suspended by the Union of Soviet Socialist Republics until the number of seals exceeds 50,000 head. This provision also applies to the fur seal herd of Robben Island, if the population of that herd becomes less than 50,000 head.

3. The Government of the Union of Soviet Socialist Republics upon suspending such sealing shall so inform the other Parties. In this case the Commission shall determine whether or not to reduce the level of or to suspend completely the pelagic sealing for scientific purposes in the Western Pacific Ocean during the period of the said suspension.

4. The Commission may, subsequent to the second year of operation of the Convention, modify the floor figure set forth in paragraph 2 of this Article in accordance with its findings based upon scientific data received by it; and if any such modifications are made, paragraph 2 of this Article shall be considered amended accordingly. The Commission shall notify each Party of every such amendment and of the effective date thereof.

Article V

1. The Parties agree to establish the North Pacific Fur Seal Commission to be composed of one member from each Party.

2. The duties of the Commission shall be to:

(a) formulate and coordinate research programs designed to achieve the objectives set forth in Article II, paragraph 1;

(b) recommend these coordinated research programs to the respective Parties for implementation;

(c) study the data obtained from the implementation of such coordinated research programs;

(d) recommend appropriate measures to the Parties on the basis of the findings obtained from the implementation of such coordinated research programs, including measures regarding the size and the sex and age composition of the seasonal commercial kill from a herd; and

(e) recommend to the Parties at the end of the fifth year after entry into force of this Convention and, if the Convention is continued under the provisions of Article XIII, paragraph 4, at a later year, the methods of sealing best suited to achieve the objectives of this Convention; the above-mentioned later year shall be fixed by the Parties at the meeting early in the sixth year provided for in Article XI.

Article VI

In order to implement the provisions of Article III, the Parties agree as follows:

1. When a duly authorized official of any of the Parties has reasonable cause to believe that any vessel outfitted for the harvesting of living marine resources and subject to the jurisdiction of any of the Parties is offending against the prohibition of pelagic sealing as provided for by Article III, he may, except within the territorial waters of another State, board and search such vessel. Such official shall carry a special certificate issued by the competent authorities of his Government and drawn up in the English, Japanese, and Russian languages which shall be exhibited to the master of the vessel upon request.

2. When the official after searching a vessel continues to have reasonable cause to believe that the vessel or any person on board thereof is offending against the prohibition, he may seize or arrest such vessel or person. In that case, the Party to which the official belongs shall as soon as possible notify the Party having jurisdiction over the vessel or person of such arrest or seizure and shall deliver the vessel or person as promptly as practicable to the authorized officials of the Party having jurisdiction over the vessel or person at a place to be agreed upon by both Parties; provided, however, that when the Party receiving notification cannot immediately accept delivery of the vessel or person, the Party which gives such notification may, upon request of the other Party, keep the vessel or person under surveillance within its own territory, under the conditions agreed upon by both Parties.

3. The authorities of the Party to which such person or vessel belongs alone shall have jurisdiction to try any case arising under Article III and this Article and to impose penalties in connection therewith.

4. The witnesses or their testimony and other proofs necessary to establish the offense, so far as they are under the control of any of the Parties, shall be furnished with all reasonable promptness to the authorities of the Party having jurisdiction to try the case.

5. Sealskins discovered on seized vessels shall be subject to confiscation on the decision of the court or other authorities of the Party under whose jurisdiction the trial of a case takes place.

6. Full details of punitive measures applied to offenders against the prohibition shall be communicated to the other Parties not later than three months after the application of the penalty.

Article VII

The provisions of this Convention shall not apply to Indians, Ainos, Aleuts, or Eskimos dwelling on the coast of the waters mentioned in Article III, who carry on pelagic sealing in canoes not transported by or used in connection with other vessels, and propelled entirely by oars, paddles, or sails, and manned by not more than five persons each, in the way hitherto practiced and without the use of firearms; provided that such hunters are not in the employment of other persons or under contract to deliver the skins to any person.

Article VIII

1. Each Party agrees that no person or vessel shall be permitted to use any of its ports or harbors or any part of its territory for any purpose designed to violate the prohibition set forth in Article III.

2. Each Party also agrees to prohibit the importation and delivery into and the traffic within its territories of skins of fur seals taken in the area of the North Pacific Ocean mentioned in Article III, except only those taken by the Union of Soviet Socialist Republics or the United States of America on rookeries, those taken at sea for research purposes in accordance with the Schedule, those taken under the provisions of Article VII, those con-

fiscated under the provisions of Article VI, paragraph 5, and those inadvertently captured which are taken possession of by a Party; provided, however, that all such excepted skins shall be officially marked and duly certified by the authorities of the Party concerned.

ARTICLE IX

1. The respective Parties agree that, of the total number of sealskins taken commercially each season on land, there shall at the end of the season be delivered a percentage of the gross in number and value thereof as follows:

By the Union of Soviet Socialist Republics	to Canada	15 per cent
	to Japan	15 per cent
By the United States of America	to Canada	15 per cent
	to Japan	15 per cent

2. Each Party agrees to deliver such sealskins to an authorized agent of the recipient Party at the place of taking, or at some other place mutually agreed upon by such Parties.

3. In order more equitably to divide the direct and indirect costs of pelagic research in the Western Pacific Ocean, it is agreed:

(a) that in any year in which commercial killing is carried out for both the Commander and Robben Islands herds and pelagic research in that area is carried on at a level of 2,000 or more seals:

(1) Canada and Japan will forego the delivery of the sealskins by the Union of Soviet Socialist Republics as set forth in paragraph 1 of this Article; and

(2) the United States of America will increase its delivery to Canada and Japan as set forth in paragraph 1 of this Article by a total of 375 sealskins to each of these Parties;

(b) that in any year in which commercial killing is carried out for one only of the Commander or Robben Islands herds and pelagic research in that area is carried on at a level of 1,000 or more seals:

(1) Canada and Japan will forego the delivery of the sealskins by the Union of Soviet Socialist Republics as set forth in paragraph 1 of this Article; and

(2) the United States of America will increase its delivery to Canada and Japan as set forth in paragraph 1 of this Article by a total of 188 sealskins to each of these Parties.

ARTICLE X

1. Each Party agrees to enact and enforce such legislation as may be necessary to guarantee the observance of this Convention and to make effective its provisions with appropriate penalties for violation thereof.

2. The Parties further agree to cooperate with each other in taking such measures as may be appropriate to carry out the purposes of this Convention, including the prohibition of pelagic sealing as provided for by Article III.

3. The Commission may, subsequent to the first year of operation of the Convention, modify in accordance with its scientific findings the research programs set forth in the Schedule and, if any such modifications are made, the Schedule shall be considered amended accordingly. The Commission shall notify each Party of every such amendment and of the effective date thereof.

4. Each Party shall have one vote. Decisions and recommendations shall be made by unanimous vote. With respect to any recommendations regarding the size and the sex and age composition of the seasonal commercial kill from a herd, only those Parties sharing in the sealskins from that herd under the provisions of Article IX, paragraph 1 shall vote.

5. The Commission shall elect from its members a Chairman and other necessary officials and shall adopt rules of procedure for the conduct of its work.

6. The Commission shall hold an annual meeting at such time and place as it may decide. Additional meetings shall be held when requested by two or more members of the Commission. The time and place of the first meeting shall be determined by agreement among the Parties.

7. The expenses of each member of the Commission shall be paid by his own Government. Such joint expenses as may be incurred by the Commission shall be defrayed by the Parties by equal contributions. Each Party shall also contribute to the Commission annually an amount equivalent to the value of the sealskins it confiscates under the provisions of Article VI, paragraph 5.

8. The Commission shall submit an annual report of its activities to the Parties.

9. The Commission may from time to time make recommendations to the Parties on any matter which relates to the fur seal resources or to the administration of the Commission.

ARTICLE XI

The Parties agree to meet early in the sixth year of this Convention and, if the Convention is continued under the provisions of Article XIII, paragraph 4, to meet again at a later year, to consider the recommendations of the Commission made in accordance with Article V, paragraph 2 (e) and to determine what further agreements may be desirable in order to achieve the maximum sustainable productivity of the North Pacific fur seal herds. The above-mentioned later year shall be fixed by the Parties at the meeting early in the sixth year.

ARTICLE XII

Should any Party consider that the obligations of Article II, paragraphs 3, 4, or 5 or any other obligation undertaken by the Parties is not being carried out and notify the other Parties to that effect, all the Parties shall, within three months of the receipt of such notification, meet to consult together on the need for and nature of remedial measures. In the event that such consultation shall not lead to agreement as to the need for and nature of remedial measures, any Party may give written notice to the other Parties of intention to terminate the Convention and, notwithstanding the provisions of Article XIII, paragraph 4, the Convention shall thereupon terminate as

to all the Parties nine months from the date of such notice.

ARTICLE XIII

1. This Convention shall be ratified and the instruments of ratification deposited with the Government of the United States of America as soon as practicable.

2. The Government of the United States of America shall notify the other signatory Governments of ratifications deposited.

3. This Convention shall enter into force on the date of the deposit of the fourth instrument of ratification, and upon such entry into force Article IX, paragraphs 1 and 2, shall be deemed to have been operative from June 1, 1956, provided that the Parties shall have, from the date of signing, maintained under their internal law the prohibition and effective prevention of pelagic sealing by all persons and vessels subject to their respective jurisdictions.

4. The present Convention shall continue in force for six years and thereafter until the entry into force of a new or revised fur seal convention between the Parties, or until the expiration of one year after such period of six years, whichever may be the earlier; provided, however, that it may continue in force for a further period if the Parties so decide at the meeting early in the sixth year provided for in Article XI.

5. The original of this Convention shall be deposited with the Government of the United States of America, which shall communicate certified copies thereof to each of the Governments signatory to the Convention.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Convention.

DONE in Washington this ninth day of February 1957, in the English, Japanese, and Russian languages, each text equally authentic.

For the Government of Canada:
A. D. P. HEENEY
G. R. CLARK
For the Government of Japan:
MASAYUKI TANI
For the Government of the Union of Soviet Socialist Republics:
G ZAROUBIN
For the Government of the United States of America:
WM C. HERRINGTON
ARNIE J. SUOMELA

SCHEDULE

1. The United States of America each year during the first four years shall tag 50,000 black pups on the Pribilof Islands.

2. The Union of Soviet Socialist Republics each year during the first four years shall tag 25 per cent of the black pups on the Commander Islands and 25 per cent of the black pups on Robben Island.

3. In the event that pelagic sealing should be suspended for one or more years under the provisions of Article IV, paragraph 3, the tagging of black pups shall continue at the mentioned rates for a comparable number of years.

4. The United States of America each year shall take at sea for research purposes in the Eastern Pacific Ocean between 1,250 and 1,750 seals.

5. Canada each year shall take at sea for research purposes in the Eastern Pacific Ocean between 500 and 750 seals.

6. Japan shall take at sea in the Western Pacific Ocean:

(a) annually in the first and second years of pelagic research between 2,750 and 3,250 seals;

(b) annually during the remaining four years of pelagic research between 1,400 and 1,600 seals.

7. The Union of Soviet Socialist Republics shall take at sea in the Western Pacific Ocean:

(a) annually in the first and second years of pelagic research between 750 and 1,250 seals;

(b) annually during the remaining four years of pelagic research between 400 and 600 seals.

Current Actions

MULTILATERAL

Atomic Energy

Statute of the International Atomic Energy Agency. Open for signature at United Nations Headquarters, New York, through January 24, 1957.[1]
Signatures: Afghanistan and Nicaragua, January 23, 1957.

Aviation

Agreement on joint financing of certain air navigation services in Greenland and the Faroe Islands. Done at Geneva September 25, 1956.[1]
Acceptance deposited: United States, February 8, 1957.

Agreement on joint financing of certain air navigation services in Iceland. Done at Geneva September 25, 1956.[1]
Acceptance deposited: United States, February 8, 1957.

Copyright

Universal copyright convention. Done at Geneva September 6, 1952. Entered into force September 16, 1955. TIAS 3324.
Ratification deposited: Mexico, February 12, 1957.

Protocol 2 concerning application of the convention to the works of certain international organizations. Done at Geneva September 6, 1952. Entered into force September 16, 1955. TIAS 3324.
Ratification deposited: Mexico, February 12, 1957.

Cultural Relations

Convention for the promotion of inter-American cultural relations. Signed at Caracas March 28, 1954. Entered into force February 18, 1955.[2]
Ratification deposited: Paraguay, January 25, 1957.

Shipping

Convention on the Intergovernmental Maritime Consultative Organization. Signed at Geneva March 6, 1948.[1]
Ratification deposited: Italy, January 28, 1957.

[1] Not in force.
[2] Not in force for the United States.

BILATERAL

Colombia

Agreement for an educational exchange program. Signed at Bogotá January 9, 1957. Entered into force provisionally January 9, 1957, and becomes definitive upon approval by legislative branch of Republic of Colombia.

Cuba

Agreement providing guaranties against inconvertibility of investment receipts, authorized by sec. 413 (b) (4) of Mutual Security Act of 1954, as amended (68 Stat. 846–847; 70 Stat. 558, 22 U.S.C. 1933). Signed at Habana February 4, 1957. Enters into force upon confirmation by the Government of Cuba of acceptance in accordance with its constitutional procedures.

Italy

Agreement amending the agreement of October 30, 1956 (TIAS 3702), by increasing the amount of lire allotted for promotion of the economic development program. Effected by exchange of notes at Rome January 28 and February 1, 1957. Entered into force February 1, 1957.

Spain

Agreement amending the agricultural commodities agreement of October 23, 1956 (TIAS 3685), by adding barley to the list of commodities to be purchased. Effected by exchange of notes at Madrid February 1, 1957. Entered into force February 1, 1957.

Turkey

Agreement supplementing the surplus agricultural commodities agreement of November 12, 1956 (TIAS 3697). Signed at Ankara January 25, 1957. Entered into force January 25, 1957.

Surplus Commodity Agreement Signed With Ecuador

Press release 70 dated February 15

The United States and Ecuador on February 15 signed an agreement authorizing the sale to Ecuador through private U.S. traders of wheat, corn, inedible tallow, edible oil and/or lard, and tobacco to a total value of $4,100,000, including certain ocean transportation costs. These sales are being made under the authority and provisions of the Agricultural Trade Development and Assistance Act of 1954, as amended. The agreement was signed at Quito by Carlos Tobar, Minister of Foreign Affairs, José F. A. Intriago, Minister of Economy, and Fausto Cordovez, Minister of Treasury, on behalf of the Ecuadoran Government, and by Ambassador Christian M. Ravndal on behalf of the United States.

The agreement provides that payment for the commodities under the sales program will be made in Ecuadoran currency. A part of the currency accruing will be earmarked for loans designed to contribute to Ecuadoran economic development and will be payable in dollars or Ecuadoran currency under the terms of a supplemental loan agreement. The balance will be reserved for the use of the United States in Ecuador.

DEPARTMENT AND FOREIGN SERVICE

Foreign Service Fees Revised

White House press release dated February 6

The President on February 6 signed an Executive order revising the Tariff of United States Foreign Service Fees.[1]

The revised schedule of fees is prescribed for use at American diplomatic and consular offices effective March 1, 1957. The schedule increases the fees for a number of the services performed at these offices and places certain of the services formerly performed without charge on a fee basis. Many of the items, however, are continued on their present nonfee basis.

The new schedule reflects the estimated current cost of providing the specific services and is in accord with the principle expressed by the President in his budget message of last year that Government services which give special benefits to users should be financed by adequate charges paid by the users. It also conforms to a previous expression of the sense of the Congress, 65 Stat. 290, that such services be made self-sustaining to the extent possible through the establishment of equitable fees and charges.

Resignations

L. Corrin Strong as Ambassador to Norway. (For text of Mr. Strong's letter to the President and the President's reply, see White House press release dated February 8.)

Carl W. McCardle as Assistant Secretary for Public Affairs. (For biographic details, see press release 73 dated February 16.)

[1] No. 10697, 22 *Fed. Reg.* 777 (not printed here). Copies of a summary of the changes may be obtained from the Office of Special Consular Services, Department of State, Washington 25, D. C.

Confirmations

The Senate on February 7 confirmed John Hay Whitney to be Ambassador to Great Britain.

The Senate on February 7 confirmed C. Burke Elbrick, to be an Assistant Secretary of State.

PUBLICATIONS

Recent Releases

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Establishment of an Oceanographic Research Station in the Turks and Caicos Islands. TIAS 3696. 17 pp. 10¢.

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland—Signed at Washington November 27, 1956. Entered into force November 27, 1956.

Weather Stations—Cooperative Program in the Dominican Republic. TIAS 3699. 8 pp. 10¢.

Agreement between the United States of America and the Dominican Republic. Exchange of notes—Signed at Ciudad Trujillo July 25 and August 11, 1956. Entered into force November 16, 1956.

Economic Development. TIAS 3701. 5 pp. 5¢.

Agreement between the United States of America and Japan. Exchange of notes—Signed at Tokyo November 13, 1956. Entered into force November 13, 1956.

Surplus Agricultural Commodities. TIAS 3702. 17 pp. 10¢.

Agreement, with exchanges of letters, between the United States of America and Italy—Signed at Rome October 30, 1956. Entered into force October 30, 1956.

Naval Mission to the Dominican Republic. TIAS 3703. 18 pp. 10¢.

Agreement between the United States of America and the Dominican Republic—Signed at Ciudad Trujillo December 7, 1956. Entered into force December 7, 1956.

United States Educational Foundation in Finland. TIAS 3704. 4 pp. 5¢.

Agreement between the United States of America and Finland, amending agreement of July 2, 1952. Exchange of notes—Signed at Helsinki November 30, 1956. Entered into force November 30, 1956.

Agricultural Commodities. TIAS 3705. 5 pp. 5¢.

Agreement between the United States of America and Japan. Exchange of notes—Signed at Tokyo November 30, 1956. Entered into force November 30, 1956.

Surplus Agricultural Commodities. TIAS 3706. 2 pp. 5¢.

Agreement between the United States of America and Pakistan, amending agreement of August 7, 1956, as amended. Exchange of letters—Signed at Karachi December 3, 1956. Entered into force December 3, 1956.

Surplus Agricultural Commodities. TIAS 3707. 3 pp. 5¢.

Agreement between the United States of America and the Union of Burma, amending agreement of February 8, 1956, as amended. Exchange of notes—Signed at Rangoon December 4, 1956. Entered into force December 4, 1956.

Saint Lawrence Seaway—Deep-Water Dredging in Cornwall Island Channels. TIAS 3708. 3 pp. 5¢.

Exchange of notes between the United States of America and Canada—Signed at Ottawa November 7 and December 4, 1956.

Mutual Defense Assistance—Disposition of Equipment and Materials. TIAS 3710. 5 pp. 5¢.

Agreement between the United States of America and Spain, implementing article I, paragraph 3, of agreement of September 26, 1953. Exchange of notes—Signed at Madrid November 27, 1956. Entered into force November 27, 1956.

Atomic Energy—Cooperation for Civil Uses. TIAS 3711. 7 pp. 10¢.

Agreement between the United States of America and the Dominican Republic—Signed at Washington June 15, 1956. Entered into force December 21, 1956.

Relief From Taxation on Defense Expenditures. TIAS 3712. 6 pp. 5¢.

Agreement between the United States of America and France, amending agreement of June 13, 1952. Exchange of letters—Signed at Paris November 27, 1956. Entered into force November 27, 1956.

Mutual Defense Assistance—Construction of Military Installations and Facilities. TIAS 3713. 16 pp. 10¢.

Agreement between the United States of America and China. Exchange of notes—Signed at Taipei November 21, 1956. Entered into force November 21, 1956.

Mexican Agricultural Workers. TIAS 3714. 5 pp. 5¢.

Agreement between the United States of America and Mexico extending agreement of August 11, 1951, as amended and extended. Exchange of notes—Signed at México December 20, 1956. Entered into force December 20, 1956.

Corrections

BULLETIN of January 21, 1957, p. 100, first column: The name of the Icelandic Minister of Foreign Affairs should be spelled Gudmundur I. Gudmundsson.

BULLETIN of February 25, 1957: The first line of the second column on page 295 should read "of today is the emergence of international commu-"; in the table at the top of the second column on page 320, the figure for U.S. guaranteed sales in bushels should be "132,098,561."

Name Index

Check List of Department of State Press Releases: February 11–17

Releases may be obtained from the News Division, Department of State, Washington 25, D.C.

Press releases issued prior to February 11 which appear in this issue of the BULLETIN are Nos. 51 of February 4 and 57 of February 8.

No.	Date	Subject
†60	2/11	Number of visas issued.
61	2/11	National Committee for Prevention of Pollution of Seas by Oil.
†62	2/12	Kalijarvi: "Two-Way Streets Around the World."
63	2/12	Consultations on import restrictions.
64	2/12	International Naval Review.
*65	2/14	Elbrick sworn in.
66	2/14	Dominican Government documents on disappearance of Murphy.
†67	2/14	Delegation to UNESCO committee on primary education (rewrite).
68	2/14	Delegation to Ghana independence ceremonies (rewrite).
69	2/15	Dulles: anniversary of Baltic independence.
70	2/15	Surplus commodity agreement with Ecuador.
*71	2/15	Visit of Indian educators.
†72	2/17	U.S. aide memoire to Israel.
*73	2/16	McCardle resignation (biographic details).

*Not printed.
†Held for later issue of the BULLETIN.

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TREATIES IN FORCE . . .

A List of Treaties and Other International Agreements of the United States

The 1956 edition of *Treaties in Force: A List of Treaties and Other International Agreements of the United States* was recently released. The publication lists treaties and other international agreements which according to the Department's records were in force between the United States and other countries on October 31, 1956.

The list includes bilateral treaties and other agreements, arranged by country or other political entity, multilateral treaties, and other agreements, arranged by subject with names of countries which have become parties. Date of signature, date of entry into force for the United States, and citations to texts are furnished for each agreement.

Documents affecting international copyright relations of the United States are listed in the appendix.

Information on current treaty actions, supplementing the information contained in *Treaties in Force*, is published weekly in the Department of State Bulletin.

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